**DRAWING(S):**

The drawings in the application are accepted. A voluntary amendment is made to drawing sheet 4/4 for minor editorial corrections in the flowchart. The attached drawing sheet 4/4 includes the corrections made to Fig. 4 and replaces the original drawing sheet 4/4. The attached red-marked drawing sheet 4/4 indicates in red the corrections made to Fig. 4.

**REMARKS – General**

The applicant has made an amendment to the specification to delete 2 phrases. The reason is discussed in the next heading "The Rejection of Claims 7 and 10 Under § 112 Overcome". The applicant has made voluntary amendments to drawing 4/4 as indicated for minor editorial corrections to Fig. 4.

The claims 2 thru 19 are canceled and replaced with new claims 20 to 28 to define the claims more distinctly so as to overcome the technical rejections and objections and to define the invention patentably over the prior art and their combinations.

The applicant has added 18 new claims. The new claims 20 to 37 contain no new matter, and the recited elements are derived from the applicant's specification.

The above new claims are submitted to be patentable over the art of record for the following reasons.

**The Rejection of Claims 7 and 10 Under § 112 Overcome**

The Office Action states "Claims 7 and 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims recite the use of "an internet network with internet/television hybrids". However, page 9 of the specification discloses that "the invention can be used in **future** generation World Wide Webs and **future** internets employing internet/television hybrids" (emphasis added). This recitation is insufficient to enable one skilled in the art to use the invention in a network that, as disclosed by Applicant, failed to exist at the time the invention was made."

The applicant respectfully agrees part way with the O.A. on the enablement requirement.

The applicant agrees and thanks the Examiner for the insight regarding the emphasis words. The emphasis phrases "**future** generation" and "and **future**" are deleted as discussed on page 8 in the above "SPECIFICATION" section.

The applicant disagrees with the O.A. that claims 7 and 10 "fails to comply with the enablement requirement."

Claim 7 recites "The internet advertising of Claim 1, further including an internet network with an internet/television hybrid for blocking and **revealing** said internet advertising."

Claim 10 recites "The device of Claim 9, further including an internet network with an internet/television hybrid."

Claims 7 and 10 contains subject matter which is described in the specification of an "internet network" and an "internet/television hybrid".

Page 8 of the specification describes, "The internet will now be described briefly. The idea of the internet is simple, a vast network of computers of many types that are connected and are able to interact with one another. The whole of the internet could probably be written about in a series of large books. For this invention's purpose the following definition of the internet is from the *IBM Dictionary of Computing*. It defines the internet as, "A wide area network connecting thousands of disparate networks in industry, education, government, and research. The Internet network uses TCP/IP as the standard for transmitting information.

The TCP/IP is defined by the same dictionary as,"Transmission Control Protocol/Internet Protocol. A set of communication protocols that support peer-to-peer connectivity functions for both local and wide area networks."

Regarding the deleted "**future** generation World Wide Webs and **future**" on page 8, the specification now describes, "The invention can be used in internets employing internet/television hybrids."

The amended specification now clearly describes all of the subject matter and the manner of making and using claims 7 and 10 "in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected".

The applicant submits that no new matter has been added to claims 7 and 10, and the subject matter is supported in the amended specification. The applicant requests reconsideration. Therefore, the applicant solicits allowance of claims 7 and 10 under 35 U.S.C. § 112.

**Claims 1, 8, 9 and 11 are Rejected on Cragun Under 35 U.S.C. 102**

The Office Action states "Claims 1, 8, 9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Cragun et al (US Patent 6,324,553), hereinafter Cragun."

Each rejected claim is discussed in the following headings.

**Claim 1 is Rejected on Cragun Under § 102**

As mentioned the O.A. states "Claims 1, 8, 9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Cragun et al (US Patent 6,324,553), hereinafter Cragun."

The O.A. further states "Regarding claim 1, Applicant states on page 2 of the specification, "most internet advertisements come in the form of buttons or banners of various sizes with their messages exhibited by default", in other words, most internet advertisements are sent to the user as images. Cragun discloses a method for the selective blocking of such images presented to a user through a web browser. Furthermore, Cragun teaches placing an image of a blocking nature of sufficient size to conceal an internet advertising, taught as a browser displayed icon covering the location of where the image would have been, at col. 11, lines 45-49. Cragun also teaches using a selection method to choose and make the blocking image disappear and reveal the advertising, taught as the use of a pop-up dialog in response to a user action (at col. 16, lines 47-50) that allows the user to de-select images from a blocking list, at col. 13, lines 40-46, which allows a user to view selected images."

**A Review of the Reference of Cragun:**

Cragun provides a method and system for selectively disabling displayed images on a screen. A browser, unmodified document, GUI interface, or a user, among other methods, enters a URL address that downloads and displays images for a user to view. The user selects a displayed image that the user desires to be blocked or hidden. A pop-up dialog appears with these options. The user may select a configure blocking option that modifies the displayed image using 6 different fields before it is blocked. A 2nd pop-up dialog appears with the 6 different fields for the user to select and modify. In response to the user selecting block option, the displayed image is blocked by a browser displayed icon or blank icon. In response to the user selecting hide option, the displayed image is hiddened by a blank area. After an option is selected, the user may request to unblock an image by removing the image-URL from a blocking list.

Alternatively a user selects a displayed window. An image, as defined by Cragun, can be a window or more exactly "an entire window". A pop-up dialog is displayed containing options block, hide, and "configure blocking". The block option uses a blocker window to block the displayed window. The configure blocking option, for displayed windows, presents an application-blocking list with 5 different fields, 3 of which may not be modified by the user because they serve to identify the window to the user.

**The Rejection of Independent Claim 1 on Cragun Overcome Under § 102**

Claim 1 is in original status.

Claim 1 recites:

> "A first means for blocking and revealing internet advertising comprising:
>
> (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising,
>
> (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,
>
> whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits improved and persuasive reasons that claim 1 is novel over Cragun.

The applicant respectfully disagrees with the O.A. that Cragun describes claim 1 for the following reasons:

**1.** The O.A. states "Regarding claim 1, Applicant states on page 2 of the specification, "most internet advertisements come in the form of buttons or banners of various sizes with their messages exhibited by default, in other words, most internet advertisements are sent to the user as images. Cragun discloses a method for the selective blocking of such images presented to a user through a web browser."

The applicant respectfully point out that page 2 of the specification is not in regards to claim 1 at all. Page 2 describes the "Background--Description of Prior Art" part of the applicant's specification, and is not a description of claim 1.

Page 2 of the applicant's specification does not quote "most internet advertisements are sent to the user as images", and is not quoted anywhere else in the specification.

The sentence, "most internet advertisements come in the form of buttons or banners of various sizes with their messages exhibited by default" refers to most internet advertisements "come in the form of buttons or banners of various sizes". This sentence does not refer to most internet advertisements "are sent to the user as images".

**2.** The O.A. states "Furthermore, Cragun teaches placing an image of a blocking nature of sufficient size to conceal an internet advertising, taught as a browser displayed icon covering the location of where the image would have been, at col. 11, lines 45-49. Cragun also teaches using a selection method to choose and make the blocking image disappear and reveal the advertising, taught as the use of a pop-up dialog in response to a user action (at col. 16, lines 47-50) that allows the user to de-select images from a blocking list, at col. 13, lines 40-46, which allows a user to view selected images."

Cragun does **not** describe claim 1 because it recites the novel physical features of "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising".

Instead Cragun describes at col. 11, lines 45-49, (without numbers), "Referring again to FIG. 7c, in response to the user's request, browser displayed icon, indicating the location at which the image would have been placed had it not been blocked".

Cragun does **not** describe "an internet advertising" in this description.

Cragun does **not** describe "covering" in this description.

Cragun describes at col. 16, lines 47-50, (without numbers), "When the user selects window with pointer application-blocking manager displays pop-up dialog, which contains options "block", "hide", and "configure blocking."

Cragun does **not** describe "a selection method" in this description, or anywhere in his invention.

Cragun does **not** describe "advertising" in this description.

Instead Cragun describes at col. 13, lines 40-46, (without numbers) "The user can also remove entries from blocking list in which case the image associated with the image-URL that is removed will no longer be blocked or hidden. Such an example user interface is described above

under the description for FIG. 7b. Referring again to FIG. 9a, control then returns to block, as described above."

Cragun does **not** describe "a selection method" in this description, or anywhere in his invention.

Cragun does **not** describe "de-select images" in this description, or anywhere in his invention.

Significantly Cragun previously describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun clearly describes the display of images right away, prior to the use of a browser displayed icon to block an image at the location "had it not been blocked".

Claim 1 is novel over Cragun because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

**Therefore** claim 1 recites novel physical features that distinguish over Cragun from the aforementioned O.A. statement.

**The Additional Novel Reasons of Claim 1 Over Cragun Under § 102:** Claim 1 has additional novel reasons that distinguish over Cragun for the following reasons:

**3.** Claim 1 recites "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Cragun does not describe these novel physical features of claim 1.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun clearly describes the display of images right away.

Claim 1 is novel over Cragun because "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

Thus claim 1 recites novel physical features that distinguish over Cragun.

**4.** Cragun describes and shows a significant alternative embodiment about "windows". According to Cragun these "windows" are not browser windows, in the usual sense of "windows". Cragun draws in FIG. 14b the display of multiple windows that are rectangular shaped, like a typical "window ".

Cragun defines images as windows, at col. 2, lines 1-3, "Many web pages are filled with numerous images. These images can be text, graphic images, video clips, or even entire windows."

Claim 1 recites "(a) a second means for placing an image or images of a blocking nature of sufficient size to **substantially conceal** an internet advertising".

Cragun does **not** describe these novel physical features of claim 1.

Instead Cragun describes at col. 20, lines 42-50, (without numbers) "Referring to FIG. 20, there is illustrated sample logic that moves the blocking window to the top of the z-order. At block, control starts. Control then continues to block, where application-blocking manager determines if the blocker-window **size equals** the blocked-window **size.** If the determination at block is false, then control continues to block, where application-blocking manager **resizes** the blocking window to be the blocked-window **size**."

Thus Cragun describes that a blocked window size must be equal in size to the blocker window.

Claim 1 and it's "image or images of a blocking nature of sufficient size to **substantially conceal** an internet advertising" distinguishes over Cragun and his requirement of **equal sizes** for his blocked window and blocker window.

Thus claim 1 recites novel physical features that distinguish over Cragun.

**5.** Cragun describes and shows a significant alternative embodiment about "windows". According to Cragun these "windows" are not browser windows, in the usual sense of "windows". Cragun draws in FIG. 14b the display of multiple windows that are rectangular shaped, like a typical "window ".

Cragun defines images as windows, at col. 2, lines 1-3, "Many web pages are filled with numerous images. These images can be text, graphic images, video clips, or even entire windows."

Cragun describes at col. 16, lines 39-41, (without numbers) "In this embodiment news and advertisements are presented to the user in multiple windows on display screen."

Thus Cragun in his alternative embodiment describes the display of images and windows right away.

Claim 1 recites "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Cragun and his alternative embodiment still do **not** describe these novel physical features of claim 1.

Claim 1 distinguishes over Cragun because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun describes the display of images and windows right away.

Thus claim 1 recites novel physical features that distinguish over Cragun.

**Therefore** from the reasons discussed, the applicant submits that claim 1 is novel over Cragun and solicits reconsideration and allowance under 35 U.S.C. § 102.

**Claim 1 Produces New and Unexpected Results and Hence**

**Is Unobvious and Patentable Over Cragun Under § 103**

The applicant submits that the novel physical features of claim 1 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun, or any combination thereof.

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits improved and persuasive reasons that claim 1 is unobvious and patentable over Cragun, and to comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 1 are discussed in the following reasons:

**1. Omission of Elements:** Numerous elements of Cragun are omitted in claim 1 because the novel physical features of the claim are: "A first means for blocking and revealing internet advertising comprising: (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

The elements of Cragun that are omitted in claim 1 are: an unmodified document, application manager, control tags, interface dialogs showing menu options block and hide and configure-blocking, entries, blocking lists, input fields, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icons, blank icons, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, an exit operation, hotspot function, bookmark entry function, true determinations, false determinations, default values, determine selected window function, application-blocking manager, application-blocking list, application name, application title, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, current windows, current records, parent windows, create parent window function, return steps, generated unmodified version documents, a saving user selection for subsequent use function, and generated modified version documents, among other elements.

Thus claim 1 is simpler than Cragun without loss of capability.

Claim 1 is demonstrated in working models in which the numerous elements of Cragun are omitted.

**2. Cost:** Claim 1 is likely to be cheaper to build per se than Cragun and is free to use because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,". Claim 1 and its 2 parts of "an image or images of a blocking nature" and "said internet advertising" are cheap to build.

The low cost to build of claim 1 is demonstrated in working models made by low cost software. The software retails for $450 and is called "PowerPoint® 2007" which is part of the "Microsoft® Office Small Business 2007" suite containing 5 other programs.

The low cost result of claim 1 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ". Thus Cragun likely is many times more costly to build than the 2 parts of claim 1.

Claim 1 will be free to use to the consumer as is customary of advertising in general.

The free cost to use result of claim 1 is very different than Cragun because his invention is embedded in browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."

Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word "**browser**" herein encompasses any application capable of selectively blocking images on a display screen."

Thus Cragun's invention, as a large browser application, typically has a cost to use that is passed

to the consumer in several ways. Although the cost to use of Cragun for a consumer is likely not expensive, it is very significant compare to the free cost to use of claim 1.

As mentioned the low cost to build of claim 1 is demonstrated in working models.

**3. Size:** Claim 1 per se is substantially smaller in size than Cragun because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 has the 2 parts of "an image or images of a blocking nature" and "said internet advertising". This small size of claim 1 is a benefit that is very different than Cragun.

The small size of claim 1 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 1 unnecessary for distribution by shipping.

Cragun is significantly larger in size than claim 1 because his invention has numerous parts, steps and functions that are detailed in 30 drawings with 14 detailed flowcharts. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

The large size of Cragun makes sending his invention on the internet much slower than claim 1. Also the large size of Cragun's application, especially if it is combined with large web browser software, is typically packaged for distribution by shipping.

Thus the small size of claim 1 has advantages over Cragun.

The small size of claim 1 is demonstrated in working models and in Figs. 1, 2, and 3.

**4. Speed:** Claim 1 is able to do a job faster than Cragun because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 requires the fast step of choosing "the blocking image or images" to make the claim work. Such change in speed of claim 1 is a benefit because the speed advantage is important in digital innovations.

The speed result of claim 1 is very different than Cragun because he teaches a **multi-step** way of selecting such as selecting the images, displaying a dialog box, selecting options, among further steps. This makes Cragun much slower than claim 1.

The speed of claim 1 is demonstrated in working models in which selecting the blocking image is all that is required.

**5. Novelty:** Claim 1 has novelty over Cragun because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method." Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.

The novelty result of claim 1 is very different than Cragun and all previously known counterparts as of the applicant's filing date.

Cragun does **not** teach the novelty result in claim 1 of "the blocking image or images disappear and **reveal** said internet advertising". This is because the "**reveal**" of claim 1 means that the internet advertising was previously unknown, from the definition of "**reveal**".

Cragun does **not** teach the novelty result in claim 1 of "whereby a human can view and hear said internet advertising **only** if said human wants". This is because "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away, regardless if a user wants.

Hence claim 1 has novelty results over Cragun.

The novelty of claim 1 is demonstrated in working models.

**6. Ease of Use:** Claim 1 is easier to use and learn than Cragun because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 shows an ease of use because it requires simply "using a selection method to choose" the "the blocking image or images disappear and **reveal** said internet advertising".

This ease of use advantage is especially important for a digital innovation like claim 1 because it enables a human to use the computer more facilely, and this counts a great deal.

The ease of use result of claim 1 is very different than Cragun because his invention is significantly harder to use and learn. Cragun, for example, requires a user to select displayed images, select menu options of block, hide, or configure-blocking, and modifying a blocking list with the 6 fields of image-URL, match level, match position, scope, action, and delay. These fields of Cragun require a user to learn the intricacies of each field which is not easy.

The ease of use of claim 1 is demonstrated in working models in which simply selecting the blocking image is all that is required to reveal the internet advertising.

**7. Ease of Production:** Claim 1 is likely to be easier and cheaper to produce than Cragun because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 has the 2 parts of "an image or images of a blocking nature" and "said internet advertising".

The ease of production in claim 1 is demonstrated in a working model that took about 2 hours to produce. The models were produced using standard low cost software, a laptop computer, and a few techniques. The software retails for $450 and is called "PowerPoint® 2007" which is part of the "Microsoft® Office Small Business 2007" suite containing 5 other programs.

The ease of production result of claim 1 is very different than Cragun because the numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts and specification, are required to produce his invention. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ". Thus Cragun is likely harder and more expensive to produce than the 2 parts of claim 1.

As mentioned the ease of production of claim 1 is demonstrated in working models.

**8. Potential Competition:** Since the novel physical features of claim 1 are so simple and easy to produce that, as a result many imitators and copiers are likely to attempt to copy it, and design around it, and try to break the patent as soon as it is brought out.

The potential competition result of claim 1 is very different than Cragun because his invention is much more complicated with awkward results that make it much harder to produce. As a result Cragun is not likely to be imitated or copied by potential competition.

Claim 1 is demonstrated in working models that were simple and easy to produce in about 2 hours, with standard software and a laptop computer.

**9. Miscellaneous:** Claim 1 takes the "curiosity killed the cat" feeling of people and makes it an advantage because the novel physical features of the claim are: "A first means for blocking and revealing internet advertising comprising: (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 and its concealed "internet advertising" may evoke the "curiosity killed the cat" feeling in people. To satiate the curiosity, a human chooses the blocking image to "**reveal** said internet advertising". The "**reveal**" of claim 1 means that the internet advertising was previously unknown, from the definition of "**reveal**".

The curiosity advantage of claim 1 is very different than Cragun because his invention displays images right away as discussed in the above subheading "5. Novelty:".

Thus Cragun does **not** teach the curiosity result of claim 1.

In addition claim 1 has the miscellaneous advantage of garnering a person's full and undivided attention.

Claim 1 and its "said internet advertisement" garners a human's full and undivided attention because "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

This is a decided advantage for marketers and advertisers implementing claim 1.

In addition claim 1 has a prerogative advantage. Claim 1 gives a human a prerogative since the claim recites "to view and hear said internet advertising **only** if said human wants by using said selection method." This is because, as mentioned, the "**only**" in claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

The miscellaneous results of claim 1 are demonstrated in working models.

**10. Obviation of Specific Disadvantages of an Existing Invention:** Claim 1 recites "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Cragun does **not** teach this function of claim 1.

Instead Cragun teaches at col. 10, lines 18-23 (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."

Cragun teaches at col. 10, lines 28-33, (without numbers) "FIG. 7b illustrates a pictorial representation of the interfaces presented by browser when the user selects configure covering option, as described above under the description for FIG. 7a. Referring again to FIG. 7b, browser has displayed the fields in blocking list that are available for the user to modify."

Thus Cragun teaches requiring a minimum of a user selecting an image, a pop-up dialog is displayed, and user selects block or hide option. If configure blocking is selected, a blocking list is displayed, the selecting and modifying displayed fields, prior to blocking.

Cragun's **multi-step** way of selecting to block or hide displayed images is very different than claim 1 and its 1 step of "using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising".

Therefore it is obvious that the 1 step of claim 1 overcomes the specific disadvantages of Cragun and his **multi-step** way of selecting, which requires at least 3 steps.

**11. Convenience:** Claim 1 makes living easier and more convenient than Cragun because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 is convenient because its concealed internet advertising reduces the distracting visual clutter from prior art advertisements that are viewable right away on the internet.

Instead Cragun teaches numerous parts, steps and functions that a user must handle that are much less convenient than claim 1. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus the convenience result of claim 1 is very different than Cragun.

The convenience of claim 1 is demonstrated in working models in which simply selecting the blocking image is all that is required to reveal the internet advertising.

**12. Social Benefit:** Claim 1 produces a social benefit because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising,".

Claim 1 substantially conceals "said internet advertising" for people who don't like advertising.

The social benefit result of claim 1 is very different than Cragun because his invention displays images right away as discussed in the above subheading "5. Novelty:".

Thus Cragun does **not** teach the social benefit of claim 1.

The social benefit of claim 1 is demonstrated in working models.

**13. Mechanization:** Claim 1 provides a computerization benefit that saves more time than Cragun because the novel physical features of the claim are: "(b) a third means for using a

selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 saves time because it requires the single computerized step of choosing "the blocking image or images" to "**reveal** said internet advertising".

The mechanization result of claim 1 is very different than Cragun because the numerous parts, steps and functions of his invention take much more time to use. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

The mechanization of claim 1 is demonstrated in working models.

**14. Excitement:** Claim 1 can provide consumer excitement because the novel physical features of the claim are: "a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 has the benefit of surprise that provides excitement because the product or service advertised in it's "and **reveal** said internet advertising" is unknown until it is selected.

Also claim 1 can be exciting because when "an image or images of a blocking nature" is selected, it can disappear in entertaining ways.

Claim 1 and it's "and **reveal** said internet advertising" provide motivation for status seekers of a costly purchase and for neophiles on the sheer newness of a purchase.

The excitement results of claim 1 are very different than Cragun because a user of his invention requests to block, hide, or "configure blocking" the displayed images. This mitigation of images results in hardly any excitement, much less Cragun's rather dull blocking browser displayed icon, blank icon, or blank area that blocks or hides.

The excitement of claim 1 is partly demonstrated in working models. The selected blocking image disappears in stimulating ways. To add excitement to the models is feasible.

**15. Markup:** Since claim 1 is in an excitement category (as discussed in the previous subheading), it can command a very high markup which is a distinct selling advantage. The

markup result of claim 1 is very different than Cragun because his invention is not in an excitement category.

Claim 1 is demonstrated in working models.

**16. Appearance:** Claim 1 provides a better appearing design than Cragun because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 and its novel physical features of 2 parts are lean and austere in appearance. The parts of the claim are "image or images of a blocking nature" and "said internet advertising".

The appearance result of claim 1 is very different than Cragun because the numerous parts of his invention are complex and bulky in appearance. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Furthermore Cragun's browser displayed icon, blank icon, and blank area are uniform and thus dull in appearance. This is very different than claim 1 because it's "an image or images of a blocking nature" is presented in creative, exciting ways as discussed in the applicant's specification.

The appearance of claim 1 is demonstrated in working models in which it has a lean and austere appearance.

**17. Inferior Performance:** Claim 1 may provide an inferior performance benefit because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising,".

The "image or images of a blocking nature" of claim 1 may perform worse than comparable internet images. Claim 1 can "conceal an internet advertising" with an inferior "image or images of a blocking nature" and this is an advantage when put to proper use. Such uses are to save costs, reduce production time, conserve such things as equipment, material, and energy. The advantages include a smaller digital size, faster download and upload times, faster "play" times, and the inferior performance of the "image or images of a blocking nature" of claim 1 has throwaway digital properties.

The inferior performance results of claim 1 are very different than Cragun because his invention produces a value added web browser or a value added document.

The inferior performance of claim 1 is demonstrated in working models in which the blocking images are inferior to comparable internet images.

**18. New Use:** Claim 1 has discovered a new use of its novel physical features which are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,". Claim 1 newly uses "image or images" to "substantially conceal an internet advertising". Then the "image or images" disappears to "**reveal** said internet advertising".

The new use result of claim 1 is very different than Cragun because his invention does **not** teach the new use.

The new use from claim 1 is demonstrated in working models.

**19. "Sexy" Packaging:** Claim 1 is adaptable to present "sexy" packaging because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising,".

Claim 1 and its "an image or images of a blocking nature" is a packaging, of a digital kind, that can show sex appeal and this is a great advantage. For example, "an image or images of a blocking nature" has a tropical getaway theme replete with scantily clad models.

The "sexy" packaging result of claim 1 is very different than Cragun because his invention displays images that a user actually requests to block, hide, or "configure blocking". Cragun does this with a browser displayed icon, a blank icon, or a blank space and these do not show "sexy" packaging. As a result Cragun can mitigate any sex appeal shown in his displayed images.

The working models of claim 1 show the packaging made of an image of a blocking nature. To add "sexy" packaging to this packaging is very feasible.

**20. Operability:** Claim 1 is likely to work readily, and no significant additional design and technical development is required to make it practicable and workable because the novel

physical features of the claim has the 2 parts of "an image or images of a blocking nature" and "internet advertising"..

Claim 1 is demonstrated in working models that were developed using standard software, a laptop computer, and a few techniques.

The operability result of claim 1 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus Cragun requires significant additional design and technical development and thus has much less operability than claim 1.

As mentioned the operability of claim 1 is demonstrated in working models.

**21. Development:** Claim 1 is already designed for the market and minimal appearance work is required because the novel physical features of the claim have the 2 parts of "an image or images of a blocking nature" and "internet advertising".

Claim 1 is demonstrated in working models that were developed using standard software, a laptop computer, and a few techniques.

The development result of claim 1 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ". Thus Cragun requires much more development than claim 1 such as additional engineering and appearance work.

As mentioned the minimal development of claim 1 is demonstrated in working models.

**22. Ease of Distribution:** Claim 1 per se is easy to distribute because the novel physical features of the claim has the 2 parts of "an image or images of a blocking nature" and "internet advertising".

Claim 1 and its 2 parts are very easily sent on the internet. Sending the 2 parts of claim 1 on the internet makes shipping it for distribution unnecessary, and this is a great advantage.

The ease of distribution of claim 1 is demonstrated in working models that, for example, can be sent via email with an internet connection.

The ease of distribution result of claim 1 is very different than Cragun because his invention is so large that it takes 30 drawings with 14 flowcharts, and specification to show its numerous parts, steps and functions. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

The large size of Cragun will be difficult and costly to distribute, such as taking longer to send on the internet.

Cragun teaches at col. 9, lines 3-10, (without numbers) "Although application-blocking manager is drawn as being separate from operating system, they could be **packaged** together. Although application-blocking manager is drawn as being separate from browser, they could be **packaged** together. The functions of application-blocking manager could be performed by a browser, and the use of the word "browser" herein encompasses any application capable of selectively blocking images on a display screen."

Thus the operating systems and web browsers that can be packaged with Cragun are distributed by shipping. As a result Cragun is significantly more difficult to distribute than claim 1.

As mentioned the ease of distribution of claim 1 is demonstrated in working models.

**23. Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and production techniques. However claim 1 requires a modest or no change in new production facilities, a tremendous advantage because the claim has 2 parts.

The 2 parts of claim 1 are "an image or images of a blocking nature" and "internet advertising".

The modest or no change in production facilities of claim 1 is demonstrated in working models that were produced using standard software, a laptop computer, and a few techniques.

This production facilities result of claim 1 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

As a result Cragun requires a large change in production facilities.

As mentioned the modest or no change in production facilities of claim 1 is demonstrated in working models.

**24. Minor Technical Advance:** Claim 1 is a minor technical advance and can be commercially implemented within about 17 months because the novel physical features of the claim has the 2 parts of "an image or images of a blocking nature" and "internet advertising".

The minor technical advance advantage of claim 1 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus Cragun is a much greater technical advance than claim 1, especially because his invention can be packaged with complex, very technical web browsers.

The minor technical advance of claim 1 is demonstrated in working models that were implemented using standard software and a laptop computer.

**25. Minimal Learning Required:** People will have to undergo minimal or no learning in order to use claim 1 because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Simply "using a selection method to choose" a blocking image of claim 1 is a strong advantage because it requires minimal or no learning.

The minimal learning result of claim 1 is very different than Cragun because his invention is so complex that it takes 30 drawings with 14 flowcharts to comprehend its numerous parts, steps and functions. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus a user of Cragun will need significant time, trial and error, and substantial learning to use his complex invention.

The minimal learning of claim 1 is demonstrated in working models in which simply choosing with the selection method is all that is required.

**26. Easy to Promote:** Claim 1 is cheap and easy to market because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 and its "blocking image or images" and "said internet advertising" are very visible, and is generally free to the consumer. These advantages make claim 1 easy to promote.

The easy to promote result of claim 1 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ". This does not make Cragun cheap and easy to market.

Also considering the complexity of Cragun's invention, his primary results of browser displayed icons, blank icons, and blank areas that reduce the visibility of the displayed images makes his invention hard to promote.

The easy to promote advantages of claim 1 are demonstrated in working models.

**27. Prototype Availability:** Claim 1 has a prototype available and demonstrated in working models. The novel physical features of the claim are: "A first means for blocking and revealing internet advertising comprising: (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

The prototype of claim 1 will make it far easier to market since potential purchasers or licensees will be much more likely to buy something which is real and tangible rather than on paper only.

**28. Broad Patent Coverage Available:** If allowed, claim 1 will obtain broad patent coverage because the claim is lean, novel, unobvious, and is recited in broad terms.

The broad patent coverage gives claim 1 the capability to charge more than if it were in a competitive situation. This will affect profitability because claim 1 is the only source which performs its certain functions like "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Thus claim 1 is very different than Cragun because his invention does **not** teach the certain functions of the claim.

Claim 1 is demonstrated in working models which show it's certain functions.

**29. Visibility of Invention in Final Product:** Claim 1 is highly visible and essentially constitutes the entire final product because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 has the 2 visible parts of "blocking image or images" and "said internet advertising".

Claim 1 and its high visibility will be a distinct marketing advantage to entice people.

The high visibility result of claim 1 is very different than Cragun because his invention actually mitigates the visibility of displayed images by later blocking, hiding, or "configure blocking" them.

Also many parts of Cragun are not visible such as control tags, href tags, the application-blocking manager, a determine selected window function, and a saving user selection for subsequent use function.

Thus Cragun and his parts that are not visible do not essentially constitute the entire final product. As a result Cragun has significantly lower visibility than claim 1.

The visibility of claim 1 is demonstrated in working models in which its 2 parts are highly visible.

**30. Ease of Packaging:** Claim 1 has the advantage of requiring no packaging because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 has the 2 parts of "blocking image or images" and "said internet advertising". The small size of claim 1 makes it very easy to send on the internet. As a result the packaging of claim 1 for shipping is unnecessary and this advantage will be a great aid in marketing.

The ease or no packaging of claim 1 is demonstrated in working models that, for example, can be sent via email with an internet connection.

The ease or no packaging result of claim 1 is very different than Cragun because his invention has a significantly more expensive packaging result.

Cragun teaches at col. 9, lines 3-7, (without numbers) "Although application-blocking manager is drawn as being separate from operating system, they could be **packaged** together. Although application-blocking manager is drawn as being separate from browser, they could be **packaged** together."

Thus the operating systems and web browsers that can be packaged with Cragun are distributed by shipping. Although likely not expensive, Cragun is significantly more expensive to package than the no packaging of claim 1.

As mentioned the ease or no packaging of claim 1 is demonstrated in working models.

**31. Youth Market:** Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 1 has the surprise factor that will likely be popular with this age group because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 and the advertised product or service will only be known by selecting "the blocking image or images". Since "said internet advertising" claim 1 can advertise virtually anything, this includes products or services aimed for the youth market. In addition "the blocking image or images" that disappear can be presented in many ways, including material that is meant to be fun, entertaining, and dramatic that piques young people's interest. The "said internet advertising" of claim 1 may command more sales than something that is not attractive to this age group, such as Cragun's invention.

The youth market result of claim 1 is very different than Cragun. The displayed images of Cragun that are later blocked, hidden, or "configure blocking" is probably boring for most young people. This is because Cragun does **not** teach targeting the youth market.

Claim 1 is demonstrated in working models.

**32. Synergism:** The results achieved by claim 1 are greater than the sum of the separate results of its parts because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking

image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 presents the result of "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

This result of claim 1 is much more than its separate results of "a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising" and "a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising".

In addition these two separate results of claim 1 cooperate to increase the overall effectiveness of "said internet advertising" since it garners the full and undivided attention of a human, a synergistic effect.

The synergism results of claim 1 are very different than Cragun. The result in Cragun of a browser displayed icon, or a blank icon, or a blank area are smaller than the sum of the numerous results of his invention.

Cragun teaches the numerous results like displayed images, dialog boxes, blocking, hiding, configure blocking, 6 configure blocking operations, modified web browsers, modified documents, an application-blocking manager, blocking lists, data structures, among other results.

Thus Cragun does **not** teach a synergism result.

The synergisms of claim 1 are demonstrated in working models.

**33. Different Combination:** The combination of claim 1 had not been previously created as of the applicant's filing date because the novel physical features of the claim are: "(a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising,".

Claim 1 combines "an image or images of a blocking nature" with "an internet advertising" to present the combination result of "and **reveal** said internet advertising,".

The combination result of claim 1 is very different than Cragun because his invention instead combines the block, hide, or "configure-blocking" options for displayed images with a browser-displayed icon, a blank icon, or a blank area.

The different combination of claim 1 is demonstrated in working models.

**34. Unexpected Results:** The results achieved by claim 1 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical and surprising because the novel physical features of the claim are: "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

This is because the "**only**" in claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

The unexpected result of claim 1 is very different than Cragun because he teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

The unexpected results of claim 1 are demonstrated in working models.

**35. Assumed Insolubility:** Claim 1 solves a problem that is insoluble because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

As of the applicant's filing date, those skilled in the art thought or found the problem solved by claim 1 to be insoluble. Claim 1 converts failure into success because the claim solves the problem of generating sufficient revenue from internet advertising. Claim 1 does this by making it possible for a website to charge more for the claim's internet advertising than for prior art internet advertising without "an image or images of a blocking nature".

Claim 1 and it's "**reveal** said internet advertising" garners the full and undivided attention of a human. This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

In addition claim 1 garners the full and undivided attention of a human because the "**only**" of the claim means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover claim 1 and its

"**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**". This full and undivided attention provides more value for the internet advertising of claim 1.

Also claim 1 and its "selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising" has more value than unselected internet advertising. A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertising of claim 1.

The assumed insolubility result of claim 1 is very different than Cragun. Cragun does not solve and does **not** teach the problem of generating sufficient revenue from internet advertising.

The failure of prior art websites to generate sufficient revenue from internet advertising indicates that a solution was not obvious.

As of the applicant's filing date, the assumed insolubility of claim 1 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**36. Crowded Art:** Claim 1 is classified in a crowded art and therefore, a small step forward should be regarded as significant because the novel physical features of the claim are: ""(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising".

Cragun does **not** teach this small step forward in claim 1 of "**reveal** said internet advertising". This is because the "**reveal**" in the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away. The display of images right away is commonplace in the crowded art of Cragun and claim 29, in fact nearly universal as of the applicant's filing date.

Therefore the small step forward in claim 1 of "reveal said internet advertising" is very different than the display of images right away of Cragun.

Hence claim 1 has a crowded art result over Cragun.

**37. Unsuggested Modification:** Cragun lacks any suggestion that his invention should be modified in a manner to meet claim 1 because the novel physical features of the claim are: "A first means for blocking and revealing internet advertising comprising: (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Since Cragun teaches the display of images right away as discussed in the above subheading "1. Novelty:", he does **not** teach "**reveal** said internet advertising" of claim 1. This is because the "**reveal**" in the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

In addition since Cragun teaches the display of images right away, he does **not** teach claim 1 and it's "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method." This is because the "**only**" of claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

Thus Cragun clearly lacks any suggestion that his invention should be modified in a manner to meet claim 1.

Claim 1 is demonstrated in working models.

**38. Unappreciated Advantages:** As of the applicant's filing date, Cragun and those skilled in the art never appreciated the advantages of claim 1 although it is inherent because the novel

physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 has the advantages of using curiosity, surprise, and garnering the full and undivided attention of a human.

The advantages of claim 1 create a higher value for its "said internet advertising".

The "**reveal**" of claim 1 means that the internet advertising was previously unknown, from the definitions of "**reveal**". This unknown quality may evoke curiosity and be surprising when "the blocking image or images disappear and **reveal** said internet advertising".

The "**only**" of claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**".

The unappreciated advantages result of claim 1 is very different than Cragun because he does **not** teach such advantages, and instead teaches the display of images right away regardless if a user wants, as discussed in the above subheading "5. Novelty:".

The unappreciated advantages of claim 1 are demonstrated in working models.

**39. Poor Reference:** Cragun is foreign to claim 1 because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Cragun does **not** teach the function in claim 1 of "**reveal** said internet advertising". This is because the "**reveal**" in the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away as discussed in the above subheading "1. Novelty:", which is foreign with this function of claim 1.

Cragun does **not** teach the result in claim 1 of "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method." This is because the "**only**" in the claim means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**".

Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

Since Cragun teaches the display of images right away regardless if a user wants, as discussed in the above subheading "1. Novelty:", his invention conflicts with this result of claim 1.

Thus Cragun is foreign and conflicts with claim 1, and therefore is a weak reference and should be construed narrowly.

Claim 1 is demonstrated in working models.

**40. Lack of Implementation:** If claim 1 were in fact obvious, because of its novel physical features and advantages, Cragun and those skilled in the art surely would have implemented the claim as of the applicant's filing date.

The novel physical features of claim 1 are: "A first means for blocking and revealing internet advertising comprising: (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 has the advantages of using curiosity, surprise, and garnering the full and undivided attention of a human.

Cragun does **not** teach and show the function in claim of "**reveal** said internet advertising". This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**". This unknown quality may evoke curiosity and be surprising once "the blocking image or images disappear and **reveal** said internet advertising".

In addition the "**only**" of claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". As a result the full and undivided attention of the human is garnered when he or she uses "said selection method".

The advantages of claim 1 create a higher value for its "said internet advertising", which is another advantage.

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

Thus Cragun does not show the advantages of using curiosity, surprise, garnering the full and undivided attention of a user, and creating a higher value for the internet advertising of claim 1. The fact that Cragun and those skilled in the art have not implemented claim 1, despite its great advantages, indicates that it is not obvious.

Claim 1 is demonstrated in working models and witnessed by computer professionals.

**41. Misunderstood Reference:** Cragun does **not** teach what the O.A. relies upon it as supposedly teaching because the novel physical features of claim 1 are: "A first means for blocking and revealing internet advertising comprising: (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Cragun does **not** teach "**reveal** said internet advertising" of claim 1. This is because the"**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away as discussed in the above subheading "5. Novelty:".

In addition Cragun does **not** teach the result in claim 1 of "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

This is because the "**only**" of the claim means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**".

Moreover, claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**"

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

Thus Cragun is a misunderstood reference in regards to claim 1.

Claim 1 is demonstrated in working models in which Cragun clearly does **not** teach.

**42. Solution of Long-Felt and Unsolved Need:** Claim 1 provides a solution to a long-felt, long-existing, but unsolved need because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 solves the need to generate sufficient revenue from internet advertising. Claim 1 does this by making it possible for a website to charge more for the claim's internet advertising than for prior art internet advertising without "an image or images of a blocking nature".

Since "a human can view and hear said internet advertising **only** if said human wants by using said selection method", his or her full and undivided attention is garnered. This full and undivided attention provides more value for the internet advertising of claim 1.

In addition claim 1 and its "selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising" has more value than unselected internet advertising. A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertising of claim 1.

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:". These displayed images of Cragun are mitigated on user request by later blocking, hiding, or configure blocking them.

Thus Cragun does not solve and does **not** teach the need to generate sufficient revenue from internet advertising.

As of the applicant's filing date, the solution of a long-felt and unsolved need of claim 1 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**43. Contrarian Invention:** Claim 1 is contrary to the teachings of Cragun because the novel physical features of the claim are: "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

This is because the "**only**" of claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**".

Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

Thus claim 1 goes against the grain of what Cragun teaches because his invention instead displays images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

The contrarian invention of claim 1 is demonstrated in working models.

**44. Strained Interpretation:** The O.A. has made a strained interpretation of Cragun that could be made only by hindsight because the novel physical features of claim 1 are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Cragun does **not** teach "and **reveal** said internet advertising" of claim1. This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away as discussed in the above subheading "5. Novelty:".

Cragun does **not** teach the result in claim 1 of "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method." This is because the "**only**" of the claim means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**".

Moreover claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

Therefore, from these reasons, for Cragun to teach and anticipate claim 1 is a strained interpretation.

Claim 1 is demonstrated in working models.

**45. New Principles of Operation:** Claim 1 utilizes new principles of operation because the novel physical features of the claim are: "(b) a third means for using a selection method to

choose and make the blocking image or images disappear and **reveal** said internet advertising," and "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Cragun and the prior art do **not** teach the new principle of operation in claim 1 of "the blocking image or images **disappear**".

Cragun and the prior art do **not** teach the new principle of operation in claim 1 of"and **reveal** said internet advertising". This is because the "**reveal**" of claim 1 means that the internet advertising was previously unknown, from the definition of "**reveal**".

Cragun and the prior art do **not** teach the new principle of operation in claim 1 of "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method." This is because the "**only**" of claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover the "**only** if said human wants" of claim 1 is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

Applicant has blazed a trail, rather than followed one.

The new principles of operation of claim 1 are demonstrated in working models.

**46. Solved Different Problem:** Claim 1 solves a different problem than Cragun because the novel physical features of the claim are: "(b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Claim 1 solves the problem of generating sufficient revenue from internet advertising. Claim 1 does this by making it possible for a website to charge more for the claim's internet advertising than for prior art internet advertising without "an image or images of a blocking nature".

Since "a human can view and hear said internet advertising **only** if said human wants by using said selection method", his or her full and undivided attention is garnered. This full and undivided attention provides more value for the internet advertising of claim 1.

In addition claim 1 and its "selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising" has more value than unselected internet advertising. A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertising of claim 1.

Instead Cragun teaches the the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:". Cragun solves the very different problem of the selective blocking of these images by mitigating them with a browser displayed icon, blank icon, or blank area on user request.

Thus Cragun does not solve and does **not** teach the problem of generating sufficient revenue from internet advertising.

As of the applicant's filing date, the solved different problem of claim 1 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**47. No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 1, including its differences over Cragun, would have been obvious because the novel physical features of the claim are: "A first means for blocking and revealing internet advertising comprising: (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Cragun clearly does **not** teach the new and unexpected function in claim 1 of "and **reveal** said internet advertising". This is because the "**reveal**" of claim 1 means that the internet advertising was previously unknown, from the definition of "**reveal**".

Cragun clearly does **not** teach the new and unexpected result in claim 1 of "whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method." This is because the "**only**" of claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of

"**only**". Moreover the "**only** if said human wants" of claim 1 is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

Therefore there is no convincing reason claim 1 is obvious on Cragun.

Claim 1 is demonstrated in working models.

**From the reasons discussed**, the applicant submits that independent claim 1 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun under 35 U.S.C § 103.

Accordingly, the applicant submits that claim 1 is allowable over Cragun and solicits reconsideration and allowance.

**Claim 8 is Rejected on Cragun Under § 102**

The O.A. states "Regarding claim 8, Cragun teaches a keys method to choose and make said blocking image or images disappear (taught as the selection method using any manner of pointing device [embodied in the disclosure as a mouse], or combination of devices, including a keyboard, at col. 16, lines 50-54)."

Claim 8 is in canceled status.

**The Rejection of Claim 9 on Cragun**

As mentioned the O.A. states "Claims 1, 8, 9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Cragun et al (US Patent 6,324,553), hereinafter Cragun."

The O.A. further states "Regarding claim 9, Cragun teaches a device for superimposing a non-advertising illustration over an internet advertisement includes: (a) a means for said non-advertising illustration of said device to go into action and remove itself when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person, whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown only if said person wishes to by selecting said non-advertising illustration. Cragun discloses a method for the selective blocking of such images presented to a user through a web browser. Furthermore, Cragun teaches placing an image of a blocking nature

of sufficient size to conceal an internet advertisement space, taught as a browser displayed icon covering the location of where the image would have been, at col. 11, lines 45-49. Cragun also teaches using a selection method to choose and make the blocking image disappear and reveal the advertising, taught as the use of a pop-up dialog in response to a user action (at col. 16, lines 47-50) that allows the user to de-select images from a blocking list, at col. 13, lines 40-46, which allows a user to view selected images."

**A Review of the Reference of Cragun:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

**Claim 9 is Amended, and Is Now New Independent Claim 24 Under § 112**

Claim 9 is canceled and is now new independent claim 24, which recites:

> "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:
>
> (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,
>
> (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,
>
> whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and
>
> whereby said internet advertisement is shown only if said person wishes by selecting said non-advertising illustration.

Claim 24 amends claim 9 because the Examiner states, regarding claim 9, "Instead, the claim assumes that the non-advertising illustration is already superimposed." This statement is from the "Response to Arguments" section of this O.A.

New claim 24 amends canceled claim 9 in the following ways with the accompanying reasons:

**1.** The "device" in the preamble is deleted before "for a non-advertising" and replaced with "method" to make claim 24 logical and precise under § 112, second paragraph.

**2.** The "superimposing" in the preamble is deleted before "a non-advertising illustration" to make claim 24 clear and logical under § 112, second paragraph.

**3.** The "superimposed" in the preamble is added after "a non-advertising illustration" to make claim 24 clear, logical, and precise under § 112, second paragraph, and to narrow the claim to obviate the rejection under § 102.

**4.** The "the steps of" is added at the end of the preamble to make claim 24 clear, logical, and precise under § 112, second paragraph, and to narrow the claim to obviate the rejection under § 102.

**5.** The "providing" is added before "a means for" to make claim 24 logical and precise under § 112, second paragraph.

**6.** The "superimposed over said internet advertisement" is added in step (a) after "said non-advertising illustration" to make claim 24 clear, logical, and precise under § 112, second paragraph, and to narrow the claim to obviate the rejection under § 102.

**7.** The "of said device" of step (a) is deleted before "to go into action" to make claim 24 clear under § 112, second paragraph and to eliminate prolixity.

**8.** The "said non-advertising illustration" is added in step (a) after "itself" to make claim 24 clear, logical, and precise under § 112, second paragraph, and to narrow the claim to obviate the rejection under § 102.

**9.** The "itself" of step (a) is deleted before "when selected" to make claim 24 clear, logical, and precise under § 112, second paragraph.

**10.** The "providing the function of" is added in step (b) before "so that said internet" to make claim 24 logical and precise under § 112, second paragraph.

**11.** The "to" of the 2nd whereby clause is deleted after "wishes" to make claim 24 clear and precise under § 112, second paragraph.

**The claim amendments are supported in the applicant's specification as follows:**

**a) The addition of "method"** in the claim is supported on page 6, 4th paragraph, with "The internet ad door invention is primarily a **process** invention."

**b)** The addition of **"superimposed"** is supported on page 6, 2nd paragraph, with "The ad door operates when the door disappears, uncovers, unfurls, or otherwise opens when selected to

**reveal** the internet advertisement beneath. The selection method is typically a "click on" by a mouse click that directs the pointer on the screen to select the space it is **superimposed** on."

**c)** Alternatively the addition of "superimposed" is supported in the Abstract on page 18, with "Any number of digital images of a blocking or covering nature, such as a door, that is **placed** over internet advertisement spaces such as banner ads and ad buttons, of various shapes and sizes (36). When such an ad door image is selected, it disappears in the manner of a door opening, or another uncovering manner, to reveal the advertising contents beneath **(66)**.", and

**d)** in the "BACKGROUND—DESCRIPTION OF PRIOR ART" part on page 2, 1st paragraph, with "Another reason why advertisements are not **blocked** or **masked** is because it is physically difficult to place a cover on it and for a consumer to remove it. One certainly cannot cover a highway billboard and expect a consumer to unveil it.", and

**e)** in the "BACKGROUND—DESCRIPTION OF PRIOR ART" part on page 1, 1st paragraph, with "Advertisements are not effective **covered** or hidden in any way.", and

**f)** on page 5, 3rd paragraph, with the parts names of "26, 28, 30, 32, 34, 36-- two copies of various internet ad sizes **covered** by graphics made to look like doors, drawers, shields, hatches, and handles", and

**g)** on page 9, 6th paragraph, with "Fig 1 presupposes that **the website creators** have reserved the edges of a webpage 38 for advertising content. This space contains two copies of various internet ad sizes **covered** by graphics made to look like doors, drawers, shields, hatches, and handles 26, 28, 30, 32, 34, 36.", and

**h)** on page 11, 4th-5th paragraphs, with the first 2 examples "(1) An ad door is **covered** by an image of gift wrapping paper with ribbons and lace. When the gift wrapping ad door is selected, the ribbon and lace slowly untie, the wrapping is torn off, and the box top is opened to reveal the advertisement. This can be done in either two dimensional or three dimensional formats.

(2) An ad door is **covered** by an image of a black belt martial arts expert in a fighting stance facing the viewer with various combative expressions. When the karate man ad door is selected, he changes his stance to attention, bows respectfully, and steps aside to reveal the advertisement.", and

**i)** on page 4, under "Objects and Advantages" with "(c) to entice viewers to select an internet ad door by utilizing the **"curiosity killed the cat" feeling**;", and

**j)** on page 14, 3rd-4th paragraphs, with "Moreover, advertisers who use the ad door benefit in several ways. Advertisers command the viewers' undivided attention because the viewer took the initiative to see and hear the advertisement by selecting it. An ad door works in a crafty way to attract attention because it acts on the **"curiosity killed the cat" feeling**. A viewer may think, "What is behind that thing?" and act on it by selecting the ad door.
When an ad door is selected, the advertiser can reward the **viewer's curiosity** by showing surprising, fun, and unusual advertisements in a variety of creative ways."

**k) The addition of "the steps of"** in the claim is supported on page 5, 1st paragraph, with "Fig 4 shows a flowchart giving **the steps** to creating internet ad doors.", and

**l)** on page 5, 6th paragraph, with

"70 first **step** in flowchart 72 second **step** in flowchart

74 third **step** in flowchart 76 fourth **step** in flowchart", and

**m)** on page 10, 4th paragraph, with "Fig 4 shows a flowchart detailing **the steps** to be taken when constructing the internet ad door invention 70, 72, 74, 76. A programmer or person reasonably skilled in the field of website design and development can perform **these steps**."
The applicant submits that new claim 24 amends canceled claim 9 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.
Therefore, the applicant solicits allowance of new claim 24 under 35 U.S.C. § 112.

**The Rejection of Claim 9, Now New Independent Claim 24, on Cragun Overcome Under § 102**

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits improved and persuasive reasons that claim 9, now new claim 24, is novel over Cragun. The preamble of new claim 24 is significant because it now recites the claim language of "includes the steps of:".

The applicant respectfully disagrees that Cragun describes claim 9, now claim 24, for the following reasons:

**1.** The O.A. states "Regarding claim 9, Cragun teaches a device for superimposing a non-advertising illustration over an internet advertisement includes: (a) a means for said non-advertising illustration of said device to go into action and remove itself when selected by a person,".

Claim 9, now claim 24 recites "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:".

Cragun does **not** describe these novel physical features of claim 24.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun describes the display of images right away.

Claim 24 distinguishes over Cragun because the claim recites "a non-advertising illustration superimposed over an internet advertisement".

Instead Cragun describes the display of images right away that are **not** superimposed over anything.

**Therefore** claim 24 recites novel physical features that distinguish over Cragun from the aforementioned O.A. statement.

**2.** The O.A. states "Cragun teaches...(b) so that said internet advertisement is exposed and able to convey its contents to said person,".

Claim 24 recites "(b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

Cragun does **not** describe these novel physical features of claim 24.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Cragun describes at col. 11, lines 43-49, (without numbers) "The user **previously selected image with pointer and selected block option**, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun describes at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The **user previously selected image with pointer and selected hide option**, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun describes at col. 13, lines 40-44, (without numbers) "The user can also remove entries from blocking list in which case the image associated with the image-URL that is removed **will no longer be blocked or hidden**."

Thus Cragun clearly describes the display of images right away, image is blocked with a browser displayed icon, or image is hidden with a blank area, and image is no longer blocked or hidden.

Claim 24 distinguishes over Cragun because the claim recites "**so that** said internet advertisement is exposed and able to convey its contents to said person,". This is because the "**so that**" of claim 24 means that the internet advertisement is restricted to the defined function of "is exposed and able to convey its contents".

Instead Cragun describes at least 4 different functions for his images.

**Therefore** claim 24 recites novel physical features that distinguish over Cragun from the aforementioned O.A. statement.

**3.** The O.A. states "Cragun teaches...whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration,".

Claim 24 recites "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration,".

Cragun does **not** describe these novel physical features of claim 24.

Instead Cragun describes at col. 2, lines 32-37, "The user selects an image that the user desires to be blocked. In response to this selection, the browser saves the control tag that identifies the image in a blocking list and blocks the display of the image. In this way, the user is allowed to decide which images are displayed and which are not."

Cragun describes at col. 10, lines 17-23, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."

Thus Cragun clearly describes the display of images right away. When a user selects the displayed images, a dialog box appears with a block option. The user selects block option in order to block the displayed images.

Claim 24 distinguishes over Cragun because the claim recites "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration". This is because a user of Cragun must perform at least 2 actions for the displayed images to be blocked, and this constitutes a user action.

**Therefore** claim 24 recites novel physical features that distinguish over Cragun from the aforementioned statement.

**4.** The O.A. states "Cragun teaches...and whereby said internet advertisement is shown only if said person wishes to by selecting said non-advertising illustration."

Claim 24 recites "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Cragun does **not** describe these novel physical features of claim 24.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun clearly describes the display of images right away.

Claim 24 distinguishes over Cragun because the "**only**" of the claim means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**". Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun displays images right away, regardless if a user wishes.

**Therefore** claim 24 recites novel physical features that distinguish over Cragun from the aforementioned statement.

**5.** The O.A. states "Cragun discloses a method for the selective blocking of such images presented to a user through a web browser. Furthermore, Cragun teaches placing an image of a blocking nature of sufficient size to conceal an internet advertisement space, taught as a browser displayed icon covering the location of where the image would have been, at col. 11, lines 45-49."

The applicant respectfully points out that the features of "placing an image of a blocking nature of sufficient size to conceal an internet advertisement space" are from independent claim 1, and are not features precisely recited in claim 9, now claim 24.

Cragun describes at col. 11, lines 45-49, (without numbers), "Referring again to FIG. 7c, in response to the user's request, browser displayed icon, indicating the location at which the image would have been placed had it not been blocked".

Cragun does **not** describe "an internet advertising" in this description.

Cragun does **not** describe "covering" in this description.

**6.** The O.A. states "Cragun also teaches using a selection method to choose and make the blocking image disappear and reveal the advertising, taught as the use of a pop-up dialog in response to a user action (at col. 16, lines 47-50)".

The applicant respectfully points out that the features of "a selection method to choose and make the blocking image disappear and reveal the advertising" are from independent claim 1, and are not features precisely recited in claim 9, now claim 24.

Cragun describes at col. 16, lines 47-50, (without numbers) "When the user selects window with pointer, application-blocking manager displays pop-up dialog, which contains options "block", "hide", and "configure blocking".

Cragun does **not** describe "a selection method" in this description, or anywhere in his invention.

Cragun does **not** describe "advertising" in this description.

**7.** The O.A. states "Cragun also teaches using a selection method...that allows the user to de-select images from a blocking list, at col. 13, lines 40-46, which allows a user to view selected images."

Cragun describes at col. 13, lines 40-46, (without numbers) "The user can also remove entries from blocking list in which case the image associated with the image-URL that is removed will no longer be blocked or hidden. Such an example user interface is described above under the description for FIG. 7b. Referring again to FIG. 9a, control then returns to block, as described above."

Cragun does **not** describe "a selection method" in this description, or anywhere in his invention.

Cragun does **not** describe "de-select images" in this description, or anywhere in his invention.

Significantly Cragun previously describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server,

which contains images and and search terms input field."

Thus Cragun clearly describes the display of images right away.

Claim 24 recites "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

Cragun does **not** describe these novel physical features of claim 24.

Claim 24 distinguishes over Cragun because the claim recites "a non-advertising illustration superimposed over an internet advertisement".

Instead Cragun describes the display of images right away.

**Therefore** claim 24 recites novel physical features that distinguish over Cragun from the aforementioned statement.

**The Additional Novel Physical Features of Claim 24 Over Cragun Under § 102:** Claim 24 has additional novel reasons that distinguish over Cragun for the following reasons:

**8.** Cragun describes and shows a significant alternative embodiment about "windows". According to Cragun these "windows" are not browser windows, in the usual sense of "windows". Cragun draws in FIG. 14b the display of multiple windows that are rectangular shaped, like a typical "window ".

Cragun defines images as windows, at col. 2, lines 1-3, "Many web pages are filled with numerous images. These images can be text, graphic images, video clips, or even entire windows."

Cragun describes at col. 16, lines 39-41, (without numbers) "In this embodiment news and advertisements are presented to the user in multiple windows on display screen."

Thus Cragun and his althernative embodiment describe the display of images and windows right away.

Claim 24 recites "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:".

Cragun and his alternative embodiment do **not** describe these novel physical features of claim 24.

Claim 24 and distinguishes over Cragun because the claim recites "a non-advertising illustration superimposed over an internet advertisement".

Instead Cragun describes the display of images and windows right away that are **not** superimposed over anything.

Thus claim 24 recites novel physical features that distinguish over Cragun.

**Therefore** from the reasons discussed, the applicant submits that claim 24 is novel over Cragun and solicits reconsideration and allowance under 35 U.S.C. § 102.

**Claim 24 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103**

The applicant submits that the novel physical features of claim 24 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun, or any combination thereof.

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits improved and persuasive reasons that claim 9, now new claim 24, is unobvious and patentable over Cragun, and to comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 24 are discussed in the following reasons:

**1. Omission of Elements:** Numerous elements of Cragun are omitted in claim 24 because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person, whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

The elements of Cragun that are omitted in claim 24 are: an unmodified document, application manager, control tags, interface dialogs showing menu options block and hide and configure-blocking, entries, blocking lists, input fields, image-URL field, match level field, the match level

fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icons, blank icons, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, an exit operation, hotspot function, bookmark entry function, true determinations, false determinations, default values, determine selected window function, application-blocking manager, application-blocking list, application name, application title, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, current windows, current records, parent windows, create parent window function, return steps, generated unmodified version documents, a saving user selection for subsequent use function, and generated modified version documents, among other elements.

Thus claim 24 is simpler than Cragun without loss of capability.

Claim 24 is demonstrated in working models in which the numerous elements of Cragun are omitted.

**2. Cost:** Claim 24 is likely to be cheaper to build per se than Cragun and is free to use because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:" and "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

Claim 24 and its 2 parts of "a non-advertising illustration" and "an internet advertisement" are cheap to build.

The low cost to build of claim 24 is demonstrated in working models made by low cost software. The software retails for $450 and is called "PowerPoint® 2007" which is part of the "Microsoft® Office Small Business 2007" suite containing 5 other programs.

The low cost to build result of claim 24 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:". Thus Cragun is likely to be many times more expensive to build than the 2 parts of claim 24.

Claim 24 will be free to use for consumers, as is customary of advertising in general.

The free cost to use result of claim 24 is very different than Cragun because his invention is embedded in browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."

Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word "**browser**" herein encompasses any application capable of selectively blocking images on a display screen."

Thus Cragun's invention, as a large browser application, typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Cragun for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 24.

As mentioned the low cost to build of claim 24 is demonstrated in working models.

**3. Size:** Claim 24 per se is substantially smaller in size than Cragun because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:".

Claim 24 has the 2 parts of "a non-advertising illustration" and "an internet advertisement".

This small size of claim 24 is a benefit that is very different than Cragun.

The small size result of claim 24 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 24 unnecessary for distribution by shipping.

Cragun is significantly larger in size than claim 24 because his invention has numerous parts, steps and functions as shown in his in 30 drawings with 14 detailed flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

The large size of Cragun makes sending his invention on the internet much slower than claim 24. Also the large size of Cragun's application, especially if it is combined with large web browser software, is typically packaged for distribution by shipping.

Thus the small size of claim 24 has advantages over Cragun.

The small size of claim 24 is demonstrated in working models and in Figs. 1, 2, and 3.

**4. Speed:** Claim 24 is able to do a job faster than Cragun because the novel physical feature of the claim are: "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

Claim 24 requires the fast step of simply selecting "said non-advertising illustration" to work. Such change in speed is a benefit because the speed advantage is important in digital innovations.

The speed result of claim 24 is very different than Cragun because the selective blocking of his displayed images requires a **multi-step** way of selecting that is much slower than the claim. For example, Cragun requires a minimum of a user selecting displayed images, displaying a dialog box, and selecting the menu options of block, hide, or configure-blocking. If configure blocking is selected, a blocking list with 6 different fields appears for a user to select and modify before a displayed image is blocked.

The speed of claim 24 is demonstrated in working models in which the fast step of selecting the non-advertising illustration is all that is required.

**5. Novelty:** Claim 24 has novelty over Cragun because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement

includes the steps of:" and "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."
Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.
The novelty of claim 24 is very different than Cragun and all previously known counterparts as of the applicant's filing date.
Cragun does **not** teach the novelty result in claim 24 of "a non-advertising illustration superimposed over an internet advertisement".
Instead Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."
Cragun also teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."
Thus Cragun teaches the display of images right away.
Cragun does **not** teach the novelty result in claim 24 of "whereby said person, without taking any action, is shielded from said internet advertisement".
Instead Cragun teaches at col. 10, lines 17-23 (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."
Thus Cragun teaches that a user selects a displayed image, and selects the block or hide option in a pop-up dialog. This constitutes user actions for the blocking or hiding of Cragun's displayed images.

Cragun does **not** teach the novelty result in claim 24 of "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."
Instead Cragun teaches the display of images right away, regardless if a user wishes.
Hence claim 24 has novelty results over Cragun.
The novelty of claim 24 is demonstrated in working models.

**6. Ease of Use:** Claim 24 is easier to use and learn than Cragun because the novel physical features of the claim are: "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".
Claim 24 requires simply selecting "said non-advertising illustration" to work, which needs practically no learning. These advantages of claim 24 are especially important for a digital innovation because it enables a human to use the computer more facilely, and this counts a great deal.
The ease of use result of claim 24 is very different than Cragun because his invention is significantly harder to use and learn. Cragun, for example, requires a user to select displayed images, select menu options of block, hide, or configure blocking, and if configure blocking is selected, the user selects and modifies a blocking list with the 6 fields of image-URL, match level, match position, scope, action, and delay. These fields of Cragun require a user to learn the intricacies of each field which is not easy.
The ease of use of claim 24 is demonstrated in working models in which simply selecting the non-advertising illustration is all that is required.

**7. Ease of Production:** Claim 24 is much easier and cheaper to produce than Cragun because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:".
Claim 24 is very easy to produce because of its 2 parts of "a non-advertising illustration" and "an internet advertisement".
The ease of production in claim 24 is demonstrated in a working model that took about 2 hours to produce. The models were proudced using standard low cost software, a laptop computer, and

a few techniques. The software retails for $450 and is called "PowerPoint® 2007" which is part of the "Microsoft® Office Small Business 2007" suite containing 5 other programs.

The ease of production result of claim 24 is very different than Cragun because the numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts and specification are needed to produce his invention. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus Cragun is likely much harder and more expensive to produce than claim 24.

As mentioned the ease of production in claim 24 is demonstrated in working models.

**8. Miscellaneous:** Claim 24 takes the "curiosity killed the cat" feeling of people and makes it an advantage because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person," and "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Claim 24 and its "internet advertisement" that is superimposed over by "a non-advertising illustration" may evoke the "curiosity killed the cat" feeling in people. To satiate the curiosity, a person selects "said non-advertising illustration" to expose "said internet advertisement".

The curiosity advantage of claim 24 is very different than Cragun because his invention displays images right away as discussed in the above subheading "5. Novelty:".

Thus Cragun does **not** teach the curiosity result of claim 24.

In addition claim 24 has the miscellaneous advantage of garnering a person's full and undivided attention.

Claim 24 and its "an internet advertisement" garners a person's full and undivided attention because "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**". Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".

This is a decided advantage for marketers and advertisers implementing claim 24.

Cragun does **not** teach garnering the full and undivided attention of a user as in claim 24.

In addition claim 24 has a prerogative advantage. Claim 24 gives a person a prerogative since "said internet advertisement is shown **only** if a person wishes". This is because, as mentnioned, the "**only**" in claim 24 means that "said internet advertisement is shown" **(only) solely and exclusively** "if a person wishes", from the definition of "**only**". Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".

Cragun does **not** teach this prerogative advantage of claim 24.

These miscellaneous results of claim 24 are demonstrated in working models.

**9. Obviation of Specific Disadvantages of an Existing Invention:** Claim 24 recites "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

Cragun does **not** teach this function of claim 24.

Instead Cragun teaches at col. 10, lines 18-23 (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."

Cragun teaches at col. 10, lines 28-33, (without numbers) "FIG. 7b illustrates a pictorial representation of the interfaces presented by browser when the user selects configure covering option, as described above under the description for FIG. 7a. Referring again to FIG. 7b, browser has displayed the fields in blocking list that are available for the user to modify."

Thus Cragun teaches requiring a minimum of a user selecting an image, a pop-up dialog is displayed, and user selects block or hide option. If configure blocking is selected, a blocking list is displayed, the selecting and modifying displayed fields, prior to blocking.

Cragun's **multi-step** way of selecting to block or hide displayed images is very different than claim 24 and its 1 step of "remove said non-advertising illustration when selected by a person". Therefore it is obvious that the 1 step of claim 24 overcomes the specific disadvantages of Cragun and his **multi-step** way of selecting, which requires at least 3 steps.

**10. Convenience:** Claim 24 makes living easier and more convenient because the novel physical features of the claim are: "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration." Claim 24 makes living easier because "said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration". This reduces the often distracting visual clutter for people who don't like advertising.

Instead Cragun teaches numerous parts, steps and functions that a user must handle that are much less convenient than claim 1. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus the convenience result of claim 24 is very different than Cragun.

The convenience of claim 24 is demonstrated in working models in which simply selecting the non-advertising illustration is all that is required.

**11. Social Benefit:** Claim 24 produces a social benefit because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:".

Since "an internet advertisement" of claim 24 is superimposed over by "a non-advertising illustration", the claim provides a social benefit for people who don't like advertisements.

The social benefit result of claim 24 is very different than Cragun because his images are displayed right away as discussed in the above subheading "5. Novelty:".

The social benefit of claim 24 is demonstrated in working models.

**12. Mechanization:** Claim 24 provides a computerization benefit that saves more time than Cragun because the novel physical features of the claim are: "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

A person simply selects "said non-advertising illustration" of claim 24 and this saves time.

The mechanization result of claim 24 is very different than Cragun because his numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification take up

significantly more time. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

In addition Cragun teaches a **multi-step** way of selecting which requires a minimum of a user selecting an image, the display of a dialog box, and selecting 1 of 3 options which takes up more time than claim 24.

The mechanization of claim 24 is demonstrated in working models.

**13. Appearance:** Claim 24 provides a better appearing design than Cragun because the novel features of the claim is lean and austere in appearance with its 2 parts of "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

The "said non-advertising illustration" and "said internet advertisement" of claim 24 can show fun and entertaining content that provides another appearance benefit.

The appearance results of claim 24 are very different than Cragun because the numerous parts, steps and function as shown in his 30 drawings with 14 flowcharts and specification is complex and bulky in appearance. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

Furthermore the displayed images of Cragun that are later blocked or hidden by a browser displayed icon, a blank icon, or a blank area are uniform and dull in appearance.

The appearance of claim 24 is demonstrated in working models in which it has a lean and austere appearance.

**14. Potential Competition:** Since the novel physical features of claim 24 are so simple and easy to produce that, as a result, many imitators and copiers are likely to attempt to copy it, and design around it, and try to break the patent as soon as it is brought out. This is because claim 24 recites the simple action of "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

The potential competition result of claim 24 is very different than Cragun because his invention is much more large and complex with awkward results that make it much harder to produce. The

numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

As a result Cragun is not likely to be imitated or copied by potential competition.

Claim 24 is demonstrated in working models that were simple and easy to produce, and took about 2 hours with standard software and a laptop computer.

**15. Excitement:** Claim 24 can provide consumer excitement because the novel physical features of the claim are: "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

Claim 24 has the benefit of surprise that provides excitement because the advertised product or service in "said internet advertisement" is "superimposed over" until a person selects "said non-advertising illustration".

Also claim 24 can be exciting because when selecting "said non-advertising illustration", it can be removed in entertaining ways.

Claim 24 and the "said internet advertisement" can provide motivation for status seekers of a costly purchase and for neophiles of the sheer newness of a purchase.

The excitement results of claim 24 are very different than Cragun because a user of his invention requests to block, hide, or "configure blocking" the displayed images. This mitigation of displayed images of Cragun results in hardly any excitement, much less the rather dull browser displayed icon, blank icon, or blank area that blocks or hides.

The excitement of claim 24 is partly demonstrated in working models. The selected non-advertising illustration removes itself in stimulating ways. To add more excitement to the models is feasible.

**16. Markup:** Since claim 24 is in an excitement category (as discussed in the previous subheading), it can command a very high markup which is a distinct selling advantage. The markup result of claim 24 is very different than Cragun because his invention is not in an excitement category.

Claim 24 is demonstrated in working models.

**17. Inferior Performance:** Claim 24 may provide an inferior performance benefit because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

The "non-advertising illustration" of claim 24 may perform worse than comparable internet illustrations. Claim 24 may superimpose over "an internet advertisement" with an inferior non-advertising illustration and this is an advantage when put to proper use. Such uses are to save costs, reduce production time, conserve such things as equipment, material, and energy. The advantages include a smaller digital size, faster download and upload times, faster "play" times, and the inferior performance of the "non-advertising illustration" of claim 24 has throwaway digital properties.

The inferior performance results of claim 24 are very different than Cragun because his invention produces a value added web browser or a value added document.

The inferior performance claim 24 is demonstrated in working models in which the non-advertising illustrations are inferior to comparable internet illustrations.

**18. New Use:** Claim 24 has discovered a new use from its novel physical features which are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

Claim 24 newly uses "a non-advertising illustration" to be superimposed over "an internet advertisement". Then "said non-advertising illustration" is removed when selected to expose "an internet advertisement".

The new use results of claim 24 are very different than Cragun because his invention does **not** teach the new uses.

The new use of claim 24 is demonstrated in working models.

**19. "Sexy" Packaging:** Claim 24 is able to present "sexy" packaging or is adaptable to being sold in such a package because the novel physical features of the claim are: "A method for a non-

advertising illustration superimposed over an internet advertisement includes the steps of:".
Claim 24 and its "a non-advertising illustration" is a packaging, of a digital kind, that can show sex appeal and this is a great advantage. For example, the "non-advertising illustration" has a tropical getaway theme replete with scantily clad models.
The "sexy" packaging result of claim 24 is very different than Cragun. A user of Cragun actually requests to block, or hide the displayed images with a browser displayed icon, a blank icon, or a blank space and these do not show "sexy" packaging.
The working models of claim 24 show the packaging made of a non-advertising illustration. To add "sexy" packaging to this packaging is very feasible.
**20. Operability:** Claim 24 is likely to work readily, and no significant additional design and technical development is required to make it practicable and workable because the novel physical features of the claim has the 2 parts of "a non-advertising illustration" and "an internet advertisement".
The ready operability of claim 24 is demonstrated in working models that were designed using standard software, a laptop computer, and a few techniques.
The operability result of claim 24 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".
Thus Cragun requires significant additional design and technical development, and has a much less operability result than claim 24.
As mentioned the operability of claim 24 is demonstrated in working models.
**21. Development:** Claim 24 is already designed for the market and minimal appearance work is required because the novel physical features of the claim recite the 2 parts of "a non-advertising illustration" and "an internet advertisement" that are combined in "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

The minimal development of claim 24 is demonstrated in working models that were developed in about 2 hours using standard software, a laptop computer, and a few techniques.

The development result of claim 24 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus Cragun requires significant engineering and appearance work, and as a result needs much more development than claim 24.

As mentioned the development advantage of claim 24 is demonstrated in working models.

**22. Ease of Distribution:** Claim 24 per se is easy to distribute because the novel physical features of the claim has the 2 parts of "a non-advertising illustration" and "an internet advertisement" that are combined in "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

Claim 24 and its 2 parts are very easily sent on the internet. Sending the 2 parts of claim 24 on the internet makes shipping it for distribution unnecessary, and this is a great advantage.

The ease of distribution of claim 24 is demonstrated in working models that, for example, can be sent via email with an internet connection.

The ease of distribution result of claim 24 is very different than Cragun because his invention is so large that it takes 30 drawings with 14 flowcharts, and specification to show its numerous parts and steps. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

The large size of Cragun will be difficult and costly to distribute, such as taking longer to send on the internet.

Cragun teaches at col. 9, lines 3-10, (without numbers) "Although application-blocking manager is drawn as being separate from operating system, they could be **packaged** together. Although application-blocking manager is drawn as being separate from browser, they could be **packaged** together. The functions of application-blocking manager could be performed by a browser, and

the use of the word "browser" herein encompasses any application capable of selectively blocking images on a display screen."

Thus the operating systems and web browsers that can be packaged with Cragun are distributed by shipping. As a result Cragun is significantly more difficult to distribute than claim 24.

As mentioned the ease of distribution of claim 24 is demonstrated in working models.

**23. Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and production techniques. However claim 24 requires a modest or no change in new production facilities, a tremendous advantage because the novel physical features of the claim has the 2 parts of "a non-advertising illustration" and "an internet advertisement" that are combined in "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

The modest or no change in production facilities of claim 24 is demonstrated in working models that were produced using standard software, a laptop computer, and a few techniques.

This production facilities result of claim 24 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

As a result Cragun requires a large change in production facilities.

As mentioned the modest or no change in production facilities of claim 24 is demonstrated in working models.

**24. Minor Technical Advance:** Claim 24 is a minor technical advance and can be commercially implemented within about 17 months because the novel physical features of the claim recite the 2 parts of "a non-advertising illustration" and "an internet advertisement" that are combined in "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when

selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

Claim 24 is created in working models using standard software and a laptop computer.

The minor technical advance result of claim 24 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

Thus Cragun is a much greater technical advance than claim 24, especially because his invention can be packaged with complex and very technical web browsers.

As mentioned the minor technical advance of claim 24 is demonstrated in working models.

**25. Minimal Learning Required:** People will have to undergo minimal or no learning in order to use claim 24 because the novel physical features of the claim are: "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

Simply selecting "said non-advertising illustration" of claim 24 requires minimal or no learning and this is a strong advantage.

The minimal or no learning result of claim 24 is very different than Cragun because his invention is so complex that it takes 30 drawings with 14 flowcharts to comprehend its numerous parts, steps and functions. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

As a result a user of Cragun will need significant time, trial and error, and learning to use his invention.

The minimal or no learning of claim 24 is demonstrated in working models in which simply selecting the non-advertising illustrations is all that is required.

**26. Easy to Promote:** Claim 24 is cheap and easy to market because the novel physical features of the claim are: "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Claim 24 and its "said non-advertising illustration" and "said internet advertisement" are very visible, and is generally free to the consumer. These advantages make claim 24 easy to promote.

The easy to promote result of claim 24 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

Also Cragun teaches browser displayed icons, blank icons, and blank areas to block or hide displayed images. Hence Cragun mitigates the visibility of his displayed images and this, along with the complexity of his invention, does not make it cheap and easy to market. Thus Cragun's invention is hard to promote.

The easy to promote advantages of claim 24 are demonstrated in working models.

**27. Prototype Availability:** Claim 24 has a prototype available and demonstrated in working models. The novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person, whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

The prototype of claim 24 will make it far easier to market since potential purchasers or licensees will be much more likely to buy something which is real and tangible rather than on paper only.

**28. Broad Patent Coverage Available:** If allowed, claim 24 will obtain broad patent coverage because its construction is lean, novel, unobvious, and is recited in broad terms.

The broad patent coverage gives claim 24 the capability to charge more than if it were in a competitive situation. This will affect profitability because claim 24 is the only source which performs its certain functions like "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,

whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Thus claim 24 is very different than Cragun because his invention does **not** teach the certain functions of the claim.

Claim 24 is demonstrated in working models which show it's certain functions.

**29. Visibility of Invention in Final Product:** Claim 24 is highly visible and essentially constitutes the entire final product because the novel physical features of the claim are: "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

Claim 24 has the 2 visible parts of "said non-advertising illustration" and "said internet advertisement". Claim 24 and its high visibility will be a distinct marketing advantage to entice people.

The high visibility result of claim 24 is very different than Cragun because his invention actually mitigates the visibility of displayed images by later blocking, hiding, or "configure blocking" them.

Also many parts of Cragun are not visible such as control tags, href tags, the application-blocking manager, a determine selected window function, and a saving user selection for subsequent use function.

Thus Cragun and his parts that are not visible do not essentially constitute the entire final product. As a result Cragun has significantly lower visibility than claim 24.

The visibility of claim 24 is demonstrated in working models in which its 2 parts are highly visible.

**30. Ease of Packaging:** Claim 24 has the advantage of requiring no packaging because the novel physical features of the claim has the 2 parts of: "a non-advertising illustration" and "an internet advertisement" that are combined in "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-

advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person,".

The small size of the 2 parts in claim 24 makes it easy to send on the internet. As a result the packaging of claim 24 for shipping is unnecessary and this advantage will be a great aid in marketing.

The ease or no packaging of claim 24 is demonstrated in working models which can be sent, for example, via email with an internet connection.

The ease or no packaging result of claim 24 is very different than Cragun because his invention has a significantly more expensive packaging result.

Cragun teaches at col. 9, lines 3-7, (without numbers) "Although application-blocking manager is drawn as being separate from operating system, they could be **packaged** together. Although application-blocking manager is drawn as being separate from browser, they could be **packaged** together."

Thus the operating systems and web browsers that can be packaged with Cragun are distributed by shipping. Although likely not expensive, Cragun is significantly more expensive to package than the no packaging of claim 24.

As mentioned the ease or no packaging of claim 24 is demonstrated in working models.

**31. Youth Market:** Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 24 has the surprise factor that will likely be popular with this age group because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:" and "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Claim 24 and the advertised product or service will only be shown "by selecting said non-advertising illustration". Since an "internet advertisement" of claim 24 can advertise virtually anything, this includes products aimed for the youth market. In addition "said non-advertising illustration" can be presented in many ways, including material that is meant to be fun, entertaining, and dramatic that piques young people's interest. The "internet advertisement" of

claim 24 may command more sales than something that is not attractive to this age group such as Cragun's invention.

Thus the youth market result of claim 24 is very different than Cragun. The displayed images of Cragun that are later blocked, hidden, or "configure blocking" is probably boring for most young people. This is because Cragun does **not** teach targeting the youth market.

Claim 24 is demonstrated in working models.

**32. Synergism:** The results achieved by claim 24 are greater than the sum of the separate results of its parts because the novel physical features of the claim are: "(a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person," and "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Claim 24 presents the result of "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

This result of claim 24 is much more than its separate results of "means for said non-advertising illustration superimposed over" to be removed and "so that said internet advertisement is exposed".

In addition these separate results of claim 24 cooperate to increase the overall effectiveness of the exposed "said internet advertisement" since it garners the full and undivided attention of a person, a synergistic effect.

The synergism results of claim 24 are very different than Cragun. The result in Cragun of a browser displayed icon, or a blank icon, or blank areas are smaller than the sum of the numerous results of his invention.

Cragun teaches the numerous results like displayed images, dialog boxes, blocking, hiding, configure blocking, 6 configure blocking fields, modified web browsers, modified documents, an application-blocking manager, blocking lists, data structures, among other results.

Thus Cragun does **not** teach a synergism result.

The synergisms of claim 24 are demonstrated in working models.

**33. Different Combination:** The combination of claim 24 had not been previously created as of the applicant's filing date because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

Claim 24 presents "a non-advertising illustration superimposed over an internet advertisement" to produce the combination of "means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person,".

Instead Cragun teaches the combination of displayed images, that a user requests to block, hide, or "configure-blocking", with a browser-displayed icon or a blank icon or a blank area.

Thus Cragun teaches a different combination result than claim 24.

The different combination of claim 24 is demonstrated in working models.

**34. Unexpected Results:** The results achieved by claim 24 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical and surprising because the novel physical features of the claim are: "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

This is because the "**only**" in claim 24 means that "said internet advertisement is shown" **(only) solely and exclusively** "if a person wishes", from the definition of "**only**". Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".

This unexpected result of claim 24 is very different than Cragun. Instead Cragun displays images right away (as discussed in the above subheading "5. Novelty:") that are later blocked, hidden, or "configure blocking".

The unexpected results of claim 24 are demonstrated in working models.

**35. Assumed Insolubility:** Claim 24 has the potential to solve a problem that is insoluble because the novel physical features of the claim are: "A method for a non-advertising illustration

superimposed over an internet advertisement includes the steps of:" and "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration." As of the applicant's filing date, those skilled in the art thought or found the problem solved by claim 24 to be insoluble. Claim 24 converts failure into success because the claim solves the problem of generating sufficient revenue from internet advertising. Claim 24 does this by making it possible for a website to charge more for the claim's internet advertisement than for prior art internet advertising without "a non-advertising illustration superimposed over an internet advertisement".

Claim 24 and its "said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration" garner the full and undivided attention of a person. This is because the "**only**" of claim 24 means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**". Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**". This full and undivided attention provides more value for the internet advertisement of claim 24.

In addition claim 24 and its "said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration" have more value than unselected internet advertising. A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertisement of claim 24.

The assumed insolubility result of claim 24 is very different than Cragun. Cragun does not solve and does **not** teach the problem of generating sufficient revenue from internet advertising.

The failure of prior art websites to generate sufficient revenue from internet advertising indicates that a solution was not obvious.

As of the applicant's filing date, the assumed insolubility of claim 24 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**36. Crowded Art:** Claim 9, now claim 24 is classified in a crowded art and therefore, a small step forward should be regarded as significant because the novel physical features of the claim

are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:"

Cragun does **not** teach this small step forward in claim 24 of "a non-advertising illustration superimposed over an internet advertisement".

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away, that are not "superimposed over an internet advertisement" as in claim 24.

The display of images right away is commonplace in the crowded art of Cragun and claim 29, in fact nearly universal as of the applicant's filing date.

Therefore the small step forward in claim 24 is very different than Cragun because he teaches the display of images right away, which are not "superimposed over an internet advertisement" as in the claim.

Hence claim 24 has a crowded art result over Cragun.

**37. Unsuggested Modification:** Cragun lacks any suggestion that his invention should be modified in a manner to meet claim 9, now claim 24 because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person, whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising

illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Cragun does **not** teach claim 24 and it's "a non-advertising illustration superimposed over an internet advertisement".

Instead Cragun teaches the display of images right away as discussed in the above subheading "5. Novelty:".

Cragun does **not** teach claim 24 and it's "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration". This is because after Cragun displays the images right away, a user selects the displayed images to block or hide them. This constitutes a user action to block the displayed images of Cragun from the user.

Cragun does **not** teach claim 24 and it's "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration." This is because the "**only**" in the claim means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**". Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches the display of images right away, regarless if a user wishes, as discussed in the above subheading "5. Novelty:".

Thus Cragun clearly lacks any suggestion that his invention should be modified in a manner to meet claim 24.

Claim 24 is demonstrated in working models.

**38. Unappreciated Advantages:** As of the applicant's filing date, Cragun and those skilled in the art never appreciated the advantages of claim 24 although it is inherent because the novel physical features of the claim are: "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

From this result claim 24 has the advantages of using curiosity, surprise, and garnering the full and undivided attention of a user.

The advantages of claim 24 create a higher value for its "said internet advertisement".

Claim 24 is very different than Cragun because the "**only**" in the claim means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**".
Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".
Cragun does **not** teach the advantages of claim 24, instead he teaches the display of images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:".
The unappreciated advantages of claim 24 are demonstrated in working models.

**39. Poor Reference:** Cragun is foreign to claim 24 because the novel physical features of the claim are: "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Cragun does **not** teach the result in claim 24 of "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration".
Instead Cragun displays images right away as discussed in the above subheading "5. Novelty:".
Cragun does **not** teach claim 24 and its result of "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration." This is because the "**only**" in the claim means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**".
Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".
Since Cragun teaches the display of images right away regardless if a user wishes (as discussed in the above subheading "5. Novelty:"), his invention conflicts with this result of claim 24.
Thus Cragun is foreign and conflicts with claim 24, and therefore is a weak reference and should be construed narrowly.
Claim 24 is demonstrated in working models.
**40. Lack of Implementation:** If claim 24 were in fact obvious, because of its novel physical features and advantages, Cragun and those skilled in the art surely would have implemented the claim as of the applicant's filing date.

The novel physical features of claim 24 are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person, whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Claim 24 has the advantages of using curiosity, surprise, and garnering the full and undivided attention of a person. This is because the claim has the result of "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

The "**only**" in claim 24 means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**".

Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun displays images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:".

Thus Cragun does not show the advantages of using curiosity, surprise, and garnering the full and undivided attention of a user of claim 24.

The fact that Cragun and those skilled in the art have not implemented claim 24, despite its great advantages, indicates that it is not obvious.

Claim 24 is demonstrated in working models and witnessed by computer professionals.

**41. Misunderstood Reference:** Cragun does **not** teach what the O.A. relies upon it as supposedly teaching because the novel physical features of claim 24 are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person, whereby said person, without taking any action, is shielded

from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."
Cragun does **not** teach claim 24 and it's "A method for a non-advertising illustration superimposed over an internet advertisement", and "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration".
Instead Cragun teaches the display of images right away as discussed in the above subheading "5. Novelty:".
Cragun does **not** teach the result in claim 24 of "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."
This is because the "**only**" in claim 24 means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**". Moreover, claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**"
Instead Cragun teaches the display of images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:".
Thus Cragun is a misunderstood reference in regards to claim 24.
Claim 1 is demonstrated in working models in which Cragun clearly does **not** teach.

**42. Solution of Long-Felt and Unsolved Need:** Claim 24 provides a solution to a long-felt, long-existing, but unsolved need because the novel physical features of the claim are: "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Claim 24 solves the need to generate sufficient revenue from internet advertising. Claim 24 does this by making it possible for a website to charge more for the claim's internet advertisement than for prior art internet advertising without "a non-advertising illustration superimposed over an internet advertisement".
Since "said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration", the person's full and undivided attention is garnered. This full and undivided attention provides a higher value for the internet advertisement of claim 24.

In addition claim 24 and its "said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration" have more value than unselected internet advertising. A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertisement of claim 24.

Instead Cragun teaches the display of images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:". These displayed images of Cragun are mitigated on user request by later blocking, hiding, or configure blocking them.

Thus Cragun does not solve and does **not** teach the need to generate sufficient revenue from internet advertising.

As of the applicant's filing date, the solution of a long-felt and unsolved need of claim 24 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**43. Contrarian Invention:** Claim 24 is contrary to the teachings of Cragun because the novel physical features of the claim are: "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Cragun does **not** teach the result in claim 24 of "said internet advertisement is shown **only** if said person wishes".

This is because the "**only**" in the claim means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**". Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".

Thus claim 24 goes against the grain of what Cragun teaches because his invention instead displays images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:".

The contrarian invention of claim 24 is demonstrated in working models.

**44. Strained Interpretation:** The O.A. has made a strained interpretation of Cragun that could be made only by hindsight because the novel physical features of claim 24 are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:"

and "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Cragun does **not** teach claim 24 and its "non-advertising image superimposed over an internet advertisement".

Instead Cragun teaches the display of images right away as discussed in the above subheading "5. Novelty:".

In addition Cragun does **not** teach the result in claim 24 of "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration".

Instead Cragun teaches at col. 10, lines 17-23 (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."

Thus Cragun teaches that a user selects an image, and selects the block or hide option in a pop-up dialog. This constitutes user actions to get Cragun's result of blocking or hiding the displayed images, and this is very different than claim 24 and it's "said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration".

In addition Cragun does **not** teach the result in claim 24 of "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration." This is because the "**only**" in claim 24 means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the definition of "**only**". Moreover claim 24 and its "**only** if said person wishes" is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches the display of images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:".

Therefore to state that Cragun teaches and anticipates claim 24 is a strained interpretation.

Claim 24 is demonstrated in working models.

**45. New Principles of Operation:** Claim 24 utilizes new principles of operation because the novel physical features of the claim are: "A method for a non-advertising illustration

superimposed over an internet advertisement includes the steps of:" and "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Cragun and the prior art do **not** teach this new principle of operation in claim 24 of "a non-advertising illustration superimposed over an internet advertisement" and "said person, without taking any action, is shielded from said internet advertisement".

Instead Cragun teaches the display of images right away as discussed in the above subheading "5. Novelty:".

In addition the "**only**" in claim 24 means that "said internet advertisement is shown" **(only) solely and exclusively** "if a person wishes", from the definition of "**only**". Moreover the "**only** if said person wishes" of claim 24 is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches the display of images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:".

Applicant has blazed a trail, rather than followed one.

The new principles of operation of claim 24 are demonstrated in working models.

**46. Solved Different Problem:** Claim 24 solves a different problem than Cragun because the novel physical features of the claim are: "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Claim 24 solves the problem of generating sufficient revenue from internet advertising. Claim 24 does this by making it possible for a website to charge more for the claim's internet advertisement than for prior art internet advertising without "said non-advertising illustration."

Since "said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration" the person's full and undivided attention is garnered. This full and undivided attention provides more value for the internet advertisement of claim 24.

In addition claim 24 and its "said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration" have more value than unselected internet advertising.

A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertisement of claim 24.

Instead Cragun teaches the the display of images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:". Cragun solves the very different problem of the selective blocking of these images by mitigating them with a browser displayed icon, blank icon, or blank area on user request.

Thus Cragun does not solve and does **not** teach the problem of generating sufficient revenue from internet advertising.

As of the applicant's filing date, the solved different problem of claim 24 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**47. No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 24, including its differences over Cragun, would have been obvious because the novel physical features of the claim are: "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of: (a) providing a means for said non-advertising illustration superimposed over said internet advertisement to go into action and remove said non-advertising illustration when selected by a person, (b) providing the function of so that said internet advertisement is exposed and able to convey its contents to said person, whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Cragun clearly does **not** teach the new and unexpected function in claim 24 of "A method for a non-advertising illustration superimposed over an internet advertisement".

Cragun clearly does **not** teach the new and unexpected result in claim 24 of "whereby said person, without taking any action, is shielded from said internet advertisement".

Cragun clearly does **not** teach the new and unexpected result in claim 24 of "whereby said internet advertisement is shown **only** if said person wishes by selecting said non-advertising illustration."

Instead Cragun teaches the display of images right away, regardless if a user wishes, as discussed in the above subheading "5. Novelty:". Cragun teaches mitigating these displayed images by later blocking, hiding, or configure blocking them on user request.

Therefore there is no convincing reason claim 24 is obvious on Cragun.

Claim 24 is demonstrated in working models.

**From the reasons discussed**, the applicant submits that independent claim 24 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun under 35 U.S.C § 103.

Accordingly, the applicant submits that claim 24 is allowable over Cragun and solicits reconsideration and allowance.

**Claim 11 is Rejected on Cragun Under § 102**

The O.A. states "Regarding claim 11, Cragun teaches a keys system (taught as the selection method using any manner of pointing device [embodied in the disclosure as a mouse], or combination of devices, including a keyboard, at col. 16, lines 50-54)."

Claim 11 is in canceled status.

**Claims 7 and 10 are Rejected on Cragun and Reber Under 35 U.S.C. 103**

The O.A. states "Claims 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of Reber et al (US Patent 5,903,729), hereinafter Reber."

Prior to discussing claims 7 and 10, the applicant will first discuss the reference of Reber.

**A Review of the Reference of Reber:**

Reber creates a method, system, and article for manufacture called a network navigation device substrate for navigating to a resource for browsing in an electronic network without requiring an end user to type its electronic address.

The steps include reading a list of at least one resource in an electronic network, displaying at least a portion of the list, receiving a user-initiated selection of a resource from the list, linking to the resource upon receiving the user-initiated selection, displaying the contents of the resource, and removing the resource from the list.

The network navigation device substrate is made from a flat piece of material, but can be in any form, shape, size, and material. The network navigation device substrate has the electronic

addresses of at least one resource. For multiple resources, the user indicates on the substrate the resources the user wants to be displayed.

The substrate contains a data item that provides one or more navigation instructions for linking a network access apparatus, such as a computer, to the resource at its electronic address for browsing. The data item of each resource is communicated to the network access apparatus by a data reader or page reader such as a page scanner, a card scanner, or a magnetic read head for reading magnetically-stored data.

The electronic address in each data item is typically the URL or IP internet address of the resource, for example http://www.uspto.gov . When there is more than one resource, the end user preferably selects, by pencil or pen, the resources that he or she wants for browsing.

Thus Reber provides an invention for an end user to navigate to a resource of interest for browsing without having to type navigation instructions.

**Claim 7 is Rejected on Cragun and Reber Under § 103**

As mentioned the O.A. states "Claims 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of Reber et al (US Patent 5,903,729), hereinafter Reber."

The O.A. further states "Regarding claim 7, Cragun teaches the advertisement image blocking on a computer network of claim 1. Cragun fails to explicitly teach such further including an internet network with internet/television hybrids for blocking and revealing said internet advertising.

Reber teaches a computer network similar to that of claim 1. Furthermore, Reber teaches the use of a "network access apparatus" that includes an "internet television", at col. 6, lines 18-24.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Reber before him at the time the invention was made to modify the computer network of Cragun to include the internet televisions of Reber. One would have been motivated to make such a combination for the advantage of allowing a user access to a network through a wide variety of apparatuses."

**A Review of the References of Cragun and Reber:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

Reber is discussed in the above heading "A Review of the Reference of Reber:".

**Claim 7, Now New Dependent Claim 20, Is A Fortiori Patentable**

**Over Cragun and Reber**

Claim 7, now new dependent claim 20, incorporates all the subject matter of independent claim 1 and adds additional subject matter which makes the claim a fortiori and independently patentable over Cragun and Reber, or any combination thereof.

Dependent claim 7 is amended to completely and correctly correspond in language with independent claim 1.

Claim 7 is canceled and is now new claim 20 which recites:

"The first means of Claim 1, further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits, in view of the new ground of rejection, the updated reasons that claim 7, now new claim 20, is unobvious and patentable over Cragun and Reber. The reasons also comply with 37 CFR 1.111(b).

New claim 20 amends canceled claim 7 in the following ways with the accompanying reasons:

**1.** The "internet advertising" is deleted before "of Claim" and replaced with "first means" to use the exact title of the referred claim and make claim 20 clear and precise under § 112, second paragraph.

**2.** The "an" is added before "internet/television" to make claim 20 clear and precise under § 112, second paragraph.

**3.** The "hybrids" is deleted before "for said blocking", and replaced with "hybrid" to make claim 20 clear, logical, and precise under § 112, second paragraph, and to broaden the claim in concise language under § 112.

**4.** The "for blocking and revealing" is deleted and replaced with "to said **reveal**" to make claim 20 clear, logical and precise under § 112, second paragraph.

The applicant submits that new claim 20 amends canceled claim 7 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 20 under 35 U.S.C. § 112.

**The Rejection of Claim 7, Now New Claim 20, on the Combination of Cragun and Reber Overcome Under § 103**

The applicant respectfully disagrees that "Cragun teaches the advertisement image blocking on a network of claim 1." The reasons are discussed for claim 1 in the above headings of "The Rejection of Independent Claim 1 on Cragun Overcome Under § 102" and "Claim 1 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

Claim 7 is canceled and is now new claim 20.

Since new dependent claim 20 incorporates all the limitations of independent claim 1, claim 20 is patentable for the same reasons given with respect to claim 1. Claim 20 is even more patentable because it adds the additional elements of "further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

The applicant respectfully disagrees that claim 20 is unpatentable due to the combination of Cragun and Reber.

The applicant requests reconsideration of this rejection, for the following reasons:

1. Intended functions destroyed.
2. Reference is from different field.
3. Claimed features lacking.
4. The novel physical features of claim 20 produce new and unexpected results and hence are unobvious and patentable over Cragun and Reber under § 103.

**1. Intended Functions Destroyed**

Cragun and Reber can't be legally combined since doing so will destroy their intended functions.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the

description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Reber** teaches at col. 3, lines 27-30, "Embodiments of the present invention advantageously provide methods and systems for navigating to a resource in an electronic network **without** requiring an end user to type its electronic address."

Reber teaches at col. 12, lines 47-51, "Because the various embodiments of the present invention read a navigation instruction from a network navigation device using a data reader, they provide a significant improvement in that an end user can navigate to a resource of interest **without** having to type the navigation instruction."

Since Reber teaches a user to navigate to a resource for browsing without having to type navigation instructions, this will destroy the intended functions in Cragun of the selective disabling the display of images with a browser displayed icon.

Cragun teaches at col. 5, lines 18-22, (without numbers) "Processing unit **receives input data from** input devices such as **keyboard**, pointing device, and local area network interfaces (not illustrated) and presents output data to a user via display device, printer, and speakers."

Cragun describes at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously **entered URL**, which is **the address** from which browser downloaded the example page from a server, which contains images and and search terms input field."

Since Cragun teaches using a keyboard, for example, to enter URL addresses in a browser, this will destroy the intended functions in Reber "to navigate to a resource in an electronic network without requiring an end user to type its electronic address."

In regards to applicants' claim 20, the proposed combination of Cragun and Reber does **not** teach the claim because their intended functions are destroyed if combined.

Claim 20 recites the novel physical features of "The first means of Claim 1, further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

Therefore the intended functions of Cragun and Reber are destroyed if combined.

**2. Reference is from Different Field**

Reber is from a different field than Cragun and claim 20 because his invention starts with an article of manufacture called a network navigation device.

**Reber** teaches at col. 6, lines 36-49, "FIG. 1 is a block diagram of an embodiment of a system for linking to at least one resource in an electronic network 10. The system includes a network navigation device 12 for navigating to the at least one resource. The network navigation device 12 comprises a substrate 14. Preferably, the substrate 14 is formed by a substantially flat piece of material. Examples of materials which can be utilized to form the substrate 14 include, but are not limited to, dielectric materials such as paper, cardboard, and plastic, and substantially nonmagnetic materials. If desired, the material and its thickness can be selected so that the substrate 14 is stiff, yet flexible. It is noted that, in general, the substrate 14 need not be homogeneous, i.e. more than two materials can be utilized to form the substrate 14."

The network navigation device substrate materials of Reber are a different field than Cragun. Instead **Cragun's** field of invention is described as "relates in general to improved information processing systems. In particular, the present invention relates to a method and system for managing the display of images on a screen."

Likewise the network navigation device substrate materials of Reber are a different field than **claim 20** because the field of the claim is "a digital internet creation in the field of website multimedia design and development."

Hence Reber's article of manufacture is from a very different field than Cragun and claim 20.

**3. Claimed Features Lacking**

Even if combined, Cragun and Reber would not meet all of the features of claim 20 because the novel physical features of the claim are: "The first means of Claim 1, further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

As the O.A. states, "**Cragun** fails to explicitly teach such further including an internet network with internet/television hybrids" of claim 7, now claim 20.

Furthermore Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text,

graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away.

In addition Cragun does **not** teach "**reveal** said internet advertising" of claim 20. This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**". Instead Cragun teaches the display of images right away.

**Reber** does **not** teach "said internet advertising" of claim 20 at all, much less "**reveal** said internet advertising".

Therefore if combined, Cragun and Reber lack all of the features of claim 20.

**4. The Novel Physical Features of Claim 20 Produce New and Unexpected Results and Hence are Unobvious and Patentable Over Cragun and Reber Under § 103**

The applicant submits that the novel physical features of claim 20 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun and Reber, or any combination thereof.

Claim 20 recites "The first means of Claim 1, further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

The new and unexpected results that flow from the novel physical features of claim 20 are discussed in the following reasons:

**1) Omission of Elements:** Numerous elements of Cragun and Reber are omitted in claim 20 because the novel physical features of the claim are: "The first means of Claim 1, further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

The elements of **Cragun** that are omitted in claim 20 are: generated unmodified version documents, generated modified version documents, application manager, control tags, interface

dialogs showing menu options block and hide and configure blocking, blocking lists, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icon, blank icon, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, a hotspot function, true determinations, false determinations, a determine selected window function, application-blocking manager, application-blocking list, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, create parent window function, and generated modified version documents, among other elements.

The elements of **Reber** that are omitted in claim 20 are: network navigation device, address guide, data reader, page scanner, resources tagged by the end user for subsequent browsing, a substrate, substrates formed by a substantially flat piece of material like dielectric materials such as paper, cardboard, and plastic, and substantially nonmagnetic materials, substrates formed by more than two materials, card-shaped substrate, substrates shaped and sized as a sheet or a page, a substrate supports first data item and second data item, data items that can be printed to be invisible to the end user but readable by an optical reader, a substrate supports a first human-readable image and a second human-readable image, a second substrate for affixing or adhering to a surface of the substrate, a substrate supports a first indication and a second indication, tagged resources, marking or puncturing a portion of the substrate to tag a resource, business card reader, scanning wand, linear CCD (charge coupled device) reader, two-dimensional CCD reader, a substrate supports an indication to select all of the resources for tagging, plurality of pages of network navigation devices assembled to form a directory of resources for an electronic network, page defining a plurality of network navigation devices can be perforated to allow for separation into individual network navigation devices, network navigation devices that can be formed on packages, boxes, containers, and the like such as the surface of a cereal box, step of reading information including printed information from the network navigation device, step of

recognizing an indication, recognizing an untagged indication for each of the resources, display screen menu for displaying the list of resources in the file, step of remove the resource from the list, and providing a significant improvement in that an end user can navigate to a resource of interest without having to type the navigation instruction, among other elements.

Thus claim 20 is simpler than Cragun and Reber without loss of capability.

**2) Novelty:** Claim 20 has novelty over Cragun and Reber and from all previously known counterparts as of the applicant's filing date because the novel physical features of the claim are: "The first means of Claim 1, further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.

As the O.A. states, "Cragun fails to explicitly teach such further including an internet network with internet/television hybrids" of claim 7, now claim 20.

Also Cragun does **not** teach the novelty result in claim 20 of "**reveal** said internet advertising". This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away that is very different than claim 20.

Likewise Reber does **not** teach the novelty result in claim 20 of "**reveal** said internet advertising". This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Reber teaches at col. 6, lines 8-18, (without numbers) "The network access apparatus receives a user-initiated selection of a resource from the list. In response to receiving the user-initiated selection, the network access apparatus links to the resource. The network access apparatus receives content from the resource, and **displays at least a portion of the content** on the display device. To reinforce an association between the network navigation device and the resource, **an image viewable on the display** device upon linking to the resource is similar to (or can be equivalent to) at least a portion of its associated human-readable image."

Thus Reber teaches the display of images right away that is very different than claim 20.

Hence claim 20 has novelty results over Cragun and Reber.

**3) Unsuggested Modification:** Cragun and Reber lack any suggestion that they should be modified in a manner to meet claim 20 because the novel physical features of the claim are: "The first means of Claim 1, further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including an internet network with internet/television hybrids" of claim 7, now claim 20.

Also Cragun does **not** teach the "**reveal** said internet advertising" of claim 20. This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away as discussed in the above subheading "2) Novelty:".

Reber does **not** teach claim 20 and its "**reveal** said internet advertising", much less teach anything about advertisng. Instead Reber teaches the display of images right away as discussed in the above subheading "2) Novelty:".

Thus Cragun and Reber clearly lack any suggestion that their inventions should be modified in a manner required to meet claim 20.

**4) No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 20, including its differences over Cragun and Reber, would have been obvious because the novel physical features of the claim are: "The first means of Claim 1, further including an internet network with an internet/television hybrid to said **reveal** said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including an internet network with internet/television hybrids" of claim 7, now claim 20.

Also Cragun does **not** teach the new and unexpected function in claim 20 of "**reveal** said internet advertising". This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "2) Novelty:". Cragun teaches mitigating these displayed images on user request by later blocking, hiding, or configure blocking them.

Reber does **not** teach claim 20 and its "**reveal** said internet advertising", much less teach anything about advertising. Instead Reber teaches the display of images right away as discussed in the above subheading "2) Novelty:".

Therefore there is no convincing reason claim 20 is obvious on Cragun and Reber.

**5) Reference Isn't From Same Field:** Reber is from a different field than Cragun and claim 20 because his invention requires an article of manufacture called a network navigation device made of a substrate material.

Reber teaches at col. 6, lines 36-49, "FIG. 1 is a block diagram of an embodiment of a system for linking to at least one resource in an electronic network 10. The system includes a network navigation device 12 for navigating to the at least one resource. The network navigation device 12 comprises a substrate 14. Preferably, the substrate 14 is formed by a substantially flat piece of material. Examples of materials which can be utilized to form the substrate 14 include, but are not limited to, dielectric materials such as paper, cardboard, and plastic, and substantially nonmagnetic materials. If desired, the material and its thickness can be selected so that the substrate 14 is stiff, yet flexible. It is noted that, in general, the substrate 14 need not be homogeneous, i.e. more than two materials can be utilized to form the substrate 14."

The article of manufacture substrate materials of Reber is in a different field than Cragun because his invention is in the field of "improved information processing systems" and "for managing the display of images on a screen."

The field of Reber is different than claim 20 because the claim is in the field of "a digital internet creation in the field of website multimedia design and development."

Hence Reber's article of manufacture is from a very different field than Cragun and claim 20.

**From the reasons discussed**, the applicant submits that new claim 20 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun and Reber under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 20 is a fortiori patentable and should also be allowed.

**From the combination reasons discussed**, the applicant submits that new claim 20 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and Reber under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 20 is a fortiori patentable and should also be allowed.

**Claim 10 is Rejected on Cragun and Reber Under § 103**

As mentioned the O.A. states "Claims 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of Reber et al (US Patent 5,903,729), hereinafter Reber."

The O.A. further states "Regarding claim 10, Cragun teaches the advertisement image blocking on a computer network of claim 9. Cragun fails to explicitly teach such further including an internet network with internet/television hybrids for blocking and revealing said internet advertising.

Reber teaches a computer network similar to that of claim 1. Furthermore, Reber teaches the use of a "network access apparatus" that includes an "internet television", at col. 6, lines 18-24.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Reber before him at the time the invention was made to modify the computer network of Cragun to include the internet televisions of Reber. One would have been motivated

to make such a combination for the advantage of allowing a user access to a network through a wide variety of apparatuses."

**A Review of the References of Cragun and Reber:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

Reber is discussed in the above heading "A Review of the Reference of Reber:".

**Claim 10, Now New Dependent Claim 25, Is A Fortiori Patentable Over Cragun and Reber**

Claim 10, now new dependent claim 25, incorporates all the subject matter of independent claim 24 and adds additional subject matter which makes the claim a fortiori and independently patentable over Cragun and Reber, or any combination thereof.

Dependent claim 10 is amended to completely and correctly correspond in language and numbering with new independent claim 24.

Claim 10 is canceled and is now new dependent claim 25 which recites:

"The method of Claim 24, further including an internet network to **reveal** said internet advertisement."

New claim 25 amends canceled claim 10 in the following ways with the accompanying reasons:

**1.** The "device" is deleted before "of Claim" and replaced with "method" to make claim 25 logical and precise under § 112, second paragraph.

**2.** The "9" is deleted after "of Claim" and replaced with "24" to make claim 25 clear and precise under § 112, second paragraph.

**3.** The "an" is added before "internet/television" to make claim 25 clear and precise under § 112, second paragraph.

**4.** The "hybrids" is deleted before "for said blocking", and replaced with "hybrid" to make claim 25 clear, logical, and precise under § 112, second paragraph, and to broaden the claim in concise language under § 112.

**5.** The "to **reveal** said internet advertisement" is added after "hybrid" to make claim 25 clear, and logical under § 112, second paragraph, and to narrow the claim to obviate the rejection under § 103.

The applicant submits that new claim 25 amends canceled claim 10 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 25 under 35 U.S.C. § 112.

**The Rejection of Claim 10, Now New Claim 25, on the Combination of Cragun and Reber Overcome Under § 103**

The applicant respectfully disagrees that "Cragun teaches the advertisement image blocking on a network of claim 9." The reasons are discussed for claim 9, now new claim 24, in the above headings of "Claim 9 is Amended, and Is Now New Independent Claim 24 Under § 112" and "The Rejection of Claim 9, Now New Independent Claim 24, on Cragun Overcome Under § 102" and "Claim 24 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

Claim 10 is canceled and is now new claim 25.

Since new dependent claim 25 incorporates all the limitations of independent claim 24, claim 25 is patentable for the same reasons given with respect to claim 24. Claim 25 is even more patentable because it adds the additional elements of "further including an internet network with an internet/television hybrid to **reveal** said internet advertisement."

The applicant respectfully disagrees that claim 25 is unpatentable due to the combination of Cragun and Reber.

The applicant requests reconsideration of this rejection, for the following reasons:

1. Intended functions destroyed.
2. Reference is from different field.
3. Claimed features lacking.
4. The novel physical features of claim 25 produce new and unexpected results and hence are unobvious and patentable over Cragun and Reber under § 103.

**1. Intended Functions Destroyed**

Cragun and Reber can't be legally combined since doing so will destroy their intended functions.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Reber** teaches at col. 3, lines 27-30, "Embodiments of the present invention advantageously provide methods and systems for navigating to a resource in an electronic network **without** requiring an end user to type its electronic address."

Reber teaches at col. 12, lines 47-51, "Because the various embodiments of the present invention read a navigation instruction from a network navigation device using a data reader, they provide a significant improvement in that an end user can navigate to a resource of interest **without** having to type the navigation instruction."

Since Reber teaches a user to navigate to a resource for browsing without having to type navigation instructions, this will destroy the intended functions in Cragun of the selective disabling the display of images with a browser displayed icon.

Cragun teaches at col. 5, lines 18-22, (without numbers) "Processing unit **receives input data from** input devices such as **keyboard**, pointing device, and local area network interfaces (not illustrated) and presents output data to a user via display device, printer, and speakers."

Cragun describes at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously **entered URL**, which is **the address** from which browser downloaded the example page from a server, which contains images and and search terms input field."

Since Cragun teaches using a keyboard, for example, to enter URL addresses in a browser, this will destroy the intended functions in Reber "to navigate to a resource in an electronic network without requiring an end user to type its electronic address."

In regards to applicants' claim 25, the proposed combination of Cragun and Reber does **not** teach the claim because their intended functions are destroyed if combined.

Claim 25 recites the novel physical features of "The method of Claim 24, further including an internet network to **reveal** said internet advertisement."

Therefore the intended functions of Cragun and Reber are destroyed if combined.

**2. Reference is from Different Field**

Reber is from a different field than Cragun and claim 25 because his invention starts with an article of manufacture called a network navigation device.

**Reber** teaches at col. 6, lines 36-49, "FIG. 1 is a block diagram of an embodiment of a system for linking to at least one resource in an electronic network 10. The system includes a network navigation device 12 for navigating to the at least one resource. The network navigation device 12 comprises a substrate 14. Preferably, the substrate 14 is formed by a substantially flat piece of material. Examples of materials which can be utilized to form the substrate 14 include, but are not limited to, dielectric materials such as paper, cardboard, and plastic, and substantially nonmagnetic materials. If desired, the material and its thickness can be selected so that the substrate 14 is stiff, yet flexible. It is noted that, in general, the substrate 14 need not be homogeneous, i.e. more than two materials can be utilized to form the substrate 14."

The network navigation device substrate materials of Reber are a different field than Cragun.

Instead **Cragun's** field of invention is described as "relates in general to improved information processing systems. In particular, the present invention relates to a method and system for managing the display of images on a screen."

Likewise the network navigation device substrate materials of Reber are a different field than **claim 25** because the field of the claim is "a digital internet creation in the field of website multimedia design and development."

Hence Reber's article of manufacture is from a very different field than Cragun and claim 25.

**3. Claimed Features Lacking**

Even if combined, Cragun and Reber would not meet all of the features of claim 20 because the novel physical features of the claim are: "The method of Claim 24, further including an internet network with an internet/television hybrid to **reveal** said internet advertisement."

As the O.A. states, "**Cragun** fails to explicitly teach such further including an internet network with internet/television hybrids" of claim 10, now claim 25.

Furthermore Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away.

In addition Cragun does **not** teach "**reveal** said internet advertisement" of claim 25. This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**". Instead Cragun teaches the display of images right away.

**Reber** does **not** teach "said internet advertisement" of claim 25 at all, much less "**reveal** said internet advertisement".

Therefore if combined, Cragun and Reber lack all of the features of claim 20.

**4. The Novel Physical Features of Claim 25 Produce New and Unexpected Results and Hence are Unobvious and Patentable Over Cragun and Reber Under § 103**

The applicant submits that the novel physical features of claim 25 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun and Reber, or any combination thereof.

Claim 25 recites "The method of Claim 24, further including an internet network with an internet/television hybrid to **reveal** said internet advertisement."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits, in view of the new ground of rejection, the updated reasons that claim 10, now new

claim 25, is unobvious and patentable over Cragun and Reber. The reasons also comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 25 are discussed in the following reasons:

1) **Omission of Elements:** Numerous elements of Cragun and Reber are omitted in claim 25 because the novel physical features of the claim are: "The method of Claim 24, further including an internet network with an internet/television hybrid to **reveal** said internet advertisement."

The elements of **Cragun** that are omitted in claim 25 are: generated unmodified version documents, generated modified version documents, application manager, control tags, interface dialogs showing menu options block and hide and configure blocking, blocking lists, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icon, blank icon, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, a hotspot function, true determinations, false determinations, a determine selected window function, application-blocking manager, application-blocking list, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, create parent window function, and generated modified version documents, among other elements.

The elements of **Reber** that are omitted in claim 25 are: network navigation device, address guide, data reader, page scanner, resources tagged by the end user for subsequent browsing, a substrate, substrates formed by a substantially flat piece of material like dielectric materials such as paper, cardboard, and plastic, and substantially nonmagnetic materials, substrates formed by more than two materials, card-shaped substrate, substrates shaped and sized as a sheet or a page, a substrate supports first data item and second data item, data items that can be printed to be invisible to the end user but readable by an optical reader, a substrate supports a first human-readable image and a second human-readable image, a second substrate for affixing or adhering

to a surface of the substrate, a substrate supports a first indication and a second indication, tagged resources, marking or puncturing a portion of the substrate to tag a resource, business card reader, scanning wand, linear CCD (charge coupled device) reader, two-dimensional CCD reader, a substrate supports an indication to select all of the resources for tagging, plurality of pages of network navigation devices assembled to form a directory of resources for an electronic network, page defining a plurality of network navigation devices can be perforated to allow for separation into individual network navigation devices, network navigation devices that can be formed on packages, boxes, containers, and the like such as the surface of a cereal box, step of reading information including printed information from the network navigation device, step of recognizing an indication, recognizing an untagged indication for each of the resources, display screen menu for displaying the list of resources in the file, step of remove the resource from the list, and providing a significant improvement in that an end user can navigate to a resource of interest without having to type the navigation instruction, among other elements.

Thus claim 25 is simpler than Cragun and Reber without loss of capability.

**2) Novelty:** Claim 25 has novelty over Cragun and Reber and from all previously known counterparts as of the applicant's filing date because the claim recites the novel physical features of: "The method of Claim 24, further including an internet network with an internet/television hybrid to **reveal** said internet advertisement."

Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.

As the O.A. states, "Cragun fails to explicitly teach such further including an internet network

Also Cragun does **not** teach the novelty result in claim 25 of "**reveal** said internet advertisement". This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away that is very different than claim 25.

Likewise Reber does **not** teach the novelty result in claim 25 of "**reveal** said internet advertisement". This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Reber teaches at col. 6, lines 8-18, (without numbers) "The network access apparatus receives a user-initiated selection of a resource from the list. In response to receiving the user-initiated selection, the network access apparatus links to the resource. The network access apparatus receives content from the resource, and **displays at least a portion of the content** on the display device. To reinforce an association between the network navigation device and the resource, **an image viewable on the display** device upon linking to the resource is similar to (or can be equivalent to) at least a portion of its associated human-readable image."

Thus Reber teaches the display of images right away that is very different than claim 25.

Hence claim 25 has novelty results over Cragun and Reber.

**3) Unsuggested Modification:** Cragun and Reber lack any suggestion that their inventions should be modified in a manner to meet claim 25 because the novel physical features of the claim are: "The method of Claim 24, further including an internet network with an internet/television hybrid to **reveal** said internet advertisement."

As the O.A. states, "Cragun fails to explicitly teach such further including an internet network with internet/television hybrids" of claim 10, now claim 25.

Also Cragun does **not** teach "**reveal** said internet advertisement" of claim 25. This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away as discussed in the above subheading "2) Novelty:".

Reber does **not** teach claim 25 and its "**reveal** said internet advertisement", much less teach anything about advertising. Instead Reber teaches the display of images right away as discussed in the above subheading "2) Novelty:".

Thus Cragun and Reber clearly lack any suggestion that their inventions should be modified in a manner required to meet claim 25.

**4) No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 25, including its differences over Cragun and Reber, would have been obvious because the novel physical features of the claim are: "The method of Claim 24, further including an internet network with an internet/television hybrid to **reveal** said internet advertisement."

As the O.A. states, "Cragun fails to explicitly teach such further including an internet network Also Cragun does **not** teach the new and unexpected function in claim 25 of "**reveal** said internet advertisement". This is because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "2) Novelty:". Cragun teaches mitigating these displayed images on user request by later blocking, hiding, or configure blocking them.

Reber does **not** teach claim 25 and its "**reveal** said internet advertisement", much less teach anything about advertising. Instead Reber teaches the display of images right away as discussed in the above subheading "2) Novelty:".

Therefore there is no convincing reason claim 25 is obvious on Cragun and Reber.

**5) Reference Isn't From Same Field:** Reber is from a different field than Cragun and claim 25 because his invention requires an article of manufacture called a network navigation device made of a substrate material.

Reber teaches at col. 6, lines 36-49, "FIG. 1 is a block diagram of an embodiment of a system for linking to at least one resource in an electronic network 10. The system includes a network navigation device 12 for navigating to the at least one resource. The network navigation device 12 comprises a substrate 14. Preferably, the substrate 14 is formed by a substantially flat piece of material. Examples of materials which can be utilized to form the substrate 14 include, but are

not limited to, dielectric materials such as paper, cardboard, and plastic, and substantially nonmagnetic materials. If desired, the material and its thickness can be selected so that the substrate 14 is stiff, yet flexible. It is noted that, in general, the substrate 14 need not be homogeneous, i.e. more than two materials can be utilized to form the substrate 14."

The article of manufacture substrate materials of Reber is in a different field than Cragun because his invention is in the field of "improved information processing systems" and "for managing the display of images on a screen."

The field of Reber is different than claim 25 because the claim is in the field of "a digital internet creation in the field of website multimedia design and development."

Hence Reber's article of manufacture is from a very different field than Cragun and claim 25.

**6. Synergism**

The result achieved by claim 25 is greater than the sum of the respective results of Cragun and Reber.

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Hence Cragun teaches the result of mitigating displayed images by later blocking, hiding, or "configure blocking" them.

In addition to an internet television, **Reber** teaches at col. 3, lines 36-39 (without numbers) "FIG. 1 is a block diagram of an embodiment of a system for linking to at least one resource in an electronic network. The system includes a network navigation device for navigating to the at least one resource."

Hence Reber teaches a network navigation device for navigating to at least one resource in an electronic network.

Therefore if Cragun were combined with an internet television of Reber, the sum of their respective results will be the mitigating of "at least one resource" by blocking, hiding, or configure blocking them.

As a result claim 25 and its "internet network with an internet/television hybrid to **reveal** said internet advertisement" is a synergism over the combination of Cragun and Reber. This is because the result in claim 25 of "**reveal** said internet advertisement" is greater than the sum of the parts of Cragun and Reber of the blocking, hiding, or configure blocking of "at least one resource".

**From the reasons discussed**, the applicant submits that new claim 25 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun and Reber under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 25 is a fortiori patentable and should also be allowed.

**From the combination reasons discussed**, the applicant submits that new claim 25 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and Reber under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 25 is a fortiori patentable and should also be allowed.

**Claims 12, 13, 16, and 17 are Rejected on Cragun and Serena Under 35 U.S.C. 103**

The O.A. states "Claims 12, 13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of Serena (US Patent 6,912,571)."

Prior to discussing claims 12, 13, 16, and 17, the applicant will first discuss the reference of Serena.

**A Review of the Reference of Serena:**

Serena creates a method that determines if computer content corresponds to a predetermined advertisement. If they correspond, the predetermined advertisement is removed and replaced with another predetermined advertisement. Reber creates an observation program and replacement rules based on user inputs for the replacing predetermined advertisement. From the user inputs, the observation program observes information and generates content preferences

based on the user. Designator strings are automatically generated by the observation program to associate with the various contents relating to the user inputs. The replacement rules use a userID and user preferences to insert the replacement predetermined advertisement via the designator strings.

Alternatively, without using predetermined advertisements, Reber creates a method of filtering content. This filtering method is used when a user requests an "internetwork page" and selects an arbitrary originator of content. The method determines if the "internetwork page" includes content relating to the originator. If so, such originator content is replaced with other predetermined content. As a result the user is enabled to effectively boycott or ignore content relating to the originator, such as all the goods and services of the originator.

**Claim 12 is Rejected on Cragun and Serena Under § 103**

As mentioned the O.A. states "Claims 12, 13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of Serena (US Patent 6,912,571)."

The O.A. further states "Regarding claims 12 and 13, Cragun teaches an internet advertisement blocking device as in claim 9. Cragun fails to teach such further including animation, and further including an internet advertising for superimposing over said internet advertisement.

Serena teaches a method for replacing advertising content with further content, similar to that of Cragun. Furthermore, Serena teaches that said advertising content may be replaced with a variety of content types, including text, video, sounds, images, movies, or further advertisements, at col. 5, lines 46-65, and col. 5, lines 12-32.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as animation or an internet advertising for superimposing over said internet advertisement. One would have been motivated to make such a combination for the advantage of providing more relevant content to a user, filtering content, or allowing a user to ignore selected content. See Serena, col. 3, lines 37-55."

Claim 13 is discussed after claim 12.

**A Review of the References of Cragun and Serena:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

Serena is discussed in the above heading "A Review of the Reference of Serena:".

**Claim 12, Now New Dependent Claim 26, Is A Fortiori Patentable Over Cragun and Serena**

Claim 12, now new dependent claim 26, incorporates all the subject matter of independent claim 24 and adds additional subject matter which makes the claim a fortiori and independently patentable over Cragun and Serena, or any combination thereof.

Dependent claim 12 is amended to completely and correctly correspond in language and numbering with new independent claim 24.

Claim 12 is canceled and is now new claim 26 which recites:

"The method of Claim 24, further including using animation in said non-advertising illustration."

New claim 26 amends canceled claim 12 in the following ways with the accompanying reasons:

**1.** The "device" is deleted before "of Claim" and replaced with "method" to make claim 26 logical and precise under § 112, second paragraph.

**2.** The "non-advertising illustration" is deleted and replaced with "device" to use the exact title of new referred claim 24 and to make claim 26 clear, logical, and precise under § 112, second paragraph.

**3.** The "9" after "of Claim" is deleted and replaced with "24" to make claim 26 clear and precise under § 112, second paragraph.

**4.** The "using" is added before "animation" to make claim 26 clear and logical under § 112, second paragraph.

**5.** The "in said non-advertising illustration." is added at the end to make claim 26 clear, logical, and precise under § 112, second paragraph. The added elements are from the above reason **1.**.

The applicant submits that new claim 26 amends canceled claim 12 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 26 under 35 U.S.C. § 112.

**The Rejection of Claim 12, Now New Claim 26, on the Combination**

**of Cragun and Serena Overcome Under § 103**

The applicant respectfully disagrees that "Cragun teaches an internet advertisement blocking device as in claim 9." The reasons for claim 9 are discussed in the above headings of "Claim 9 is Amended, and Is Now New Independent Claim 24 Under § 112" and "The Rejection of Claim 9, Now New Independent Claim 24, on Cragun Overcome Under § 102" and "Claim 24 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

Claim 12 is canceled and is now new claim 26.

Since new dependent claim 26 incorporates all the limitations of independent claim 24, claim 26 is patentable for the same reasons given with respect to claim 24. Claim 26 is even more patentable because it adds the additional elements of "further including using animation in said non-advertising illustration."

The applicant respectfully disagrees that claim 26 is unpatentable due to the combination of Cragun and Serena.

The applicant requests reconsideration of this rejection, for the following reasons:

1. Intended functions destroyed.
2. Unsuggested combination.
3. References are individually complete.
4. References teach away.
5. Modifications are necessary for the references to be combined.
6. The novel physical features of claim 26 produce new and unexpected results and hence is unobvious and patentable over Cragun and Serena under § 103.
7. A multiplicity of steps is required for the references to be combined.

**1. Intended Functions Destroyed**

Cragun and Serena can't be legally combined since doing so will destroy their intended functions.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image

with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

To "modify the advertisement replacement of Cragun" to include the animation of Serena would destroy the intended functions of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Serena's intended functions of an advertisement that is replaced and prevented from reaching the user, and inserting another advertisement are destroyed if combined with Cragun. This is because Cragun teaches the selective disabling the display of images with a blocking browser displayed icon. And because none of Serena's advertisements are disabled with Cragun's blocking browser displayed icon.

In regards to applicants' claim 26, the proposed combination of Cragun and Serena does **not** teach the claim because their intended functions are destroyed if combined.

Claim 26 recites the novel physical features of "The method of Claim 24, further including using animation in said non-advertising illustration."

Hence the intended functions of Cragun and Serena are destroyed if combined.

**2. Unsuggested Combination**

The references of Cragun and Serena do not contain any suggestion (express or implied) that they be combined, or that they be combined in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as animation".

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Cragun and Serena is an unsuggested combination because "to modify the advertisement replacement of Cragun" to include an animation of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

In addition Cragun does not contain any suggestion of combining with Serena because their inventions are very different. This is because Cragun teaches disabling displayed images with a browser displayed icon. In contrast Serena teaches replacing an advertisement that is prevented from reaching the user, before inserting another advertisement.

Serena does not contain any suggestion of combining with Cragun because none of Serena's advertisements are blocked by a browser displayed icon.

In regards to applicants' claim 26, the proposed combination of Cragun and Serena does **not** teach the claim because they are an unsuggested combination.

Claim 26 recites the novel physical features of "The method of Claim 24, further including using animation in said non-advertising illustration."

Hence the combination stated in the O.A. of Cragun and Serena is an unsuggested combination

**3. References are Individually Complete**

Both Cragun and Serena are complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to any reference.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as animation".

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the

image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

To "modify the advertisement replacement of Cragun" to include the animation of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Therefore Cragun and Serena are individually complete inventions with no reason to be combined in the manner that the O.A. has done.

In regards to applicants' claim 26, the proposed combination of Cragun and Serena does **not** teach the claim because their inventions are individually complete.

Claim 26 recites the novel physical features of "The method of Claim 24, further including using animation in said non-advertising illustration."

Hence Cragun and Serena are individually complete references with no reason to use parts from or add or substitute parts to any reference.

**4. References Teach Away**

The references of Cragun and Serena themselves teach away (expressly or by implication) from the suggested combination.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as animation".

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Cragun teaches away from Serena because "to modify the advertisement replacement of Cragun" to include the animation of Serena would defeat the purpose of Cragun's invention. This is

because Cragun provides "a method and system for selectively disabling the display of images." Serena teaches away from Cragun because Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement. This is very different than Cragun's browser displayed icon to disable displayed images.

In regards to claim 26, the proposed combination of Cragun and Serena does **not** teach the claim because their inventions teach away from the suggested combination.

Claim 26 recites the novel physical features of "The method of Claim 24, further including using animation in said non-advertising illustration."

Hence Cragun and Serena teach away (expressly or by implication) from the aforementioned combination.

**5. Modifications are Necessary for the References to be Combined**

It would be necessary to make modifications, not taught in Cragun and Serena in order to combine the references in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as animation".

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial

representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore it would be necessary for Cragun to make modifications to add the animation of Serena to work with Cragun's block and hide options. Cragun needs to add the animation to his browser displayed icon, blank icon, and blank area.

Should Cragun require more than one animation for "varietal content replacement", then additional modifications are necessary to add the animations as an option and as a replacement, and still further modifications are necessary so that the user can delineate which animation to use.

Cragun does **not** teach these modifications.

In regards to claim 26, the proposed combination of Cragun and Serena does **not** teach the claim because modifications are necessary to combine their inventions in the manner suggested.

Claim 26 recites the novel physical features of "The method of Claim 24, further including using animation in said non-advertising illustration."

Hence modifications are necessary to combine Cragun and Serena, not taught by Cragun, in the manner suggested.

**6. The Novel Physical Features of Claim 26 Produce New and Unexpected Results and Hence are Unobvious and Patentable Over Cragun and Serena Under § 103**

The applicant submits that the novel physical features of claim 26 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun and Serena, or any combination thereof.

Claim 26 recites "The method of Claim 24, further including using animation in said non-advertising illustration."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits, in view of the new ground of rejection, the updated reasons that claim 12, now new claim 26, is unobvious and patentable over Cragun and Serena. The reasons also comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 26 are discussed in the following reasons:

**1) Omission of Elements:** Numerous elements of Cragun and Serena are omitted in claim 26 because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."

The elements of **Cragun** that are omitted in claim 26 are: generated unmodified version documents, generated modified version documents, application manager, control tags, interface dialogs showing menu options block and hide and configure blocking, blocking lists, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icon, blank icon, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, a hotspot function, true determinations, false determinations, a determine selected window function, application-blocking manager, application-blocking list, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, create parent window function, and generated modified version documents, among other elements.

The elements of **Serena** that are omitted in claim 26 are: an observation program, predetermined content, predetermined advertisements, user preferences, a preference window with different options, preference server, replacement rules, designator strings, userID, logic sentences, any combination of visual, lexical, and semantic techniques for recognizing content, identifiers, a transform function H, addresses, unique addresses, matching functions, a mid-square transfer function, a folding transform function, optical character recognition techniques, parsing algorithms, database lookup techniques, a training image technique, string comparisons, logo recognitions, replacement server, white spaces, and user or affinity group statistical information, among other elements.

Thus claim 26 is simpler than Cragun and Serena without loss of capability.

**2) Cost:** Claim 26 is likely to be cheaper to build per se than Cragun and Serena because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."

Claim 26 and its 2 parts of "animation" and "said non-advertising illustration" are cheap to build. The low cost result of claim 26 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ". Thus Cragun likely is many times more costly to build than the 2 parts of claim 26.

Likewise the low cost result of claim 26 is very different than Serena because his invention has numerous parts. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:". Thus Serena likely is many times more costly to build than the 2 parts of claim 26.

**3) Size:** Claim 26 per se is substantially smaller in size than Cragun and Serena because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."

Claim 26 has the 2 parts of "animation" and "said non-advetising illustration". This small size of claim 2 is a benefit that is very different than Cragun and Serena.

The small size of claim 2 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 26 unnecessary for distribution by shipping.
Cragun is significantly larger in size than claim 26 because his invention has numerous parts, steps and functions that are detailed in 30 drawings with 14 detailed flowcharts. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ".
Likewise Serena is significantly larger in size than claim 26 because his invention has numerous parts. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".
The large size of Cragun and Serena makes sending their inventions on the internet much slower than claim 26.
Also the large size of Cragun's and Serena's applications, especially if they are combined with large web browser software, is typically packaged for distribution by shipping.
Thus the small size of claim 26 has advantages over Cragun and van Hoff.
**4) Ease of Production:** As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.
Claim 26 is easier and cheaper to produce than Serena because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."
Claim 26 and its 2 parts of "animation" and "said non-advertising illustration" is easier to produce than Serena.
The ease of production result of claim 26 is very different than Serena. Serena's numerous parts as shown in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12) and specification are needed to produce his invention. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".
Thus Serena is likely harder and more expensive to produce than the 2 parts of claim 26.
**5) Novelty:** Claim 26 has novelty over Cragun and Serena because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration." Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

Serena does **not** teach the novelty result in claim 26 of "using animation in said non-advertising illustration."

Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Thus claim 26 is very different than Serena because the claim uses "animation in said non-advertising illustration". Instead Serena teaches an advertisement that is replaced with another advertisement based on user input.

Thus claim 26 has a novelty result over Cragun and Serena.

**6) Development:** Claim 26 is already designed for the market because it has only 2 parts from the novel physical features in the claim of: "The method of Claim 24, further including using animation in said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

The development result of claim 26 is very different than Serena because the numerous parts as shown in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12) and specification are needed to develop his invention. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".

Thus Serena requires such things for development like much more engineering and appearance work than the 2 parts of claim 26.

**7) Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and production techniques. However claim 26 requires a modest or no change in new production facilities, a tremendous advantage because the claim has 2 parts. The novel physical features of claim 26 are: "The method of Claim 24, further including using animation in said non-advertising illustration."

The 2 parts of claim 26 are "animation" and "said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

The modest or no change in production facilities result of claim 26 is very different than Serena because his invention is so complex, specific, and limiting with its numerous parts and steps. Serena teaches these parts and steps that are needed to produce his invention in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12), and in his specification.

Thus the numerous parts and steps of Serena results in a significantly larger change in production facilities and techniques than claim 26.

**8) Visibility of Invention in Final Product:** Claim 26 is highly visible because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

Claim 26 and its 2 visible parts will be a distinct marketing advantage to entice consumers who love the new.

The visibility of claim 26 is very different than Serena because many parts of his invention are not visible in the final product such as the observation program, the replaced predetermined content, the replaced predetermined advertisements, user preferences, preference server, replacement rules, designator strings, logic sentences, any combination of visual, lexical, and semantic techniques for recognizing content, identifiers, a transform function H, addresses, unique addresses, matching functions, a mid-square transfer function, a folding transform function, optical character recognition techniques, parsing algorithms, database lookup techniques, a training image technique, string comparisons, logo recognitions, replacement server, and user or affinity group statistical information.

Thus Serena and his parts that are not visible do not essentially constitute the entire final product. As a result Serena has significantly lower visibility than claim 26.

**9) Unexpected Results:** The results achieved by claim 26 are new, unexpected, unsuggested, unusual, and surprising as of the applicant's filing date because the novel physical features of the

claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus claim 26 and its unexpected result of "using animation in said non-advertising illustration" is very different than Serena and his advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

**10) Unsuggested Modification:** Cragun and Serena lack any suggestion that their inventions should be modified in a manner to required to meet claim 26 because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

Claim 26 is very different than Serena because his invention discusses "animation" once in the Background section of his specification. However his claims recite "animation" several times. Furthermore Serena does **not** teach using animation in "said non-advertising illustration" of claim 26.

Thus Cragun and Serena clearly lack any suggestion that their inventions should be modified in a manner required to meet claim 26.

**11) Poor References:** The references of Cragun and Serena are foreign and conflicting to claim 26 because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

Cragun is foreign to claim 26.

Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Hence Serena and his advertisement that is replaced and prevented from reaching the user before inserting another advertisement conflicts with claim 26 and its "using animation in said non-advertising illustration".

Thus Cragun and Serena are foreign and conflicts with claim 26, and therefore the references are weak and should be construed narrowly.

**12) Misunderstood Reference:** Cragun and Serena do **not** teach what the O.A. relies upon it as supposedly teaching because the novel physical features of claim 26 are: "The method of Claim 24, further including using animation in said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

Claim 26 is very different than Serena because he teaches "animation" once in the Background section of his specification. However his claims recite "animation" several times. Furthermore Serena does **not** teach using animation in the specific "said non-advertising illustration" of claim 26.

**13) Strained Interpretations:** The O.A. has made a strained interpretation of Cragun and Serena that could be made only in hindsight because the novel physical features of claim 26 are: "The method of Claim 24, further including using animation in said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

Serena does **not** teach using animation in "said non-advertising illustration" of claim 26.

Thus the references are a strained interpretation of claim 26.

**14) New Principle of Operation:** Claim 26 utilizes a new principle of operation because the novel physical features of the claim are: "The method of Claim 24, further including using animation in said non-advertising illustration."

As the O.A. states, "Cragun fails to teach such further including animation" of claim 12, now claim 26.

Serena does **not** teach the new principle of operation in claim 26 of "using animation in said non-advertising illustration."

The applicant has blazed a trail, rather than followed one.

**From the reasons discussed**, the applicant submits that new claim 26 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun and Serena under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 26 is a fortiori patentable and should also be allowed.

**7. A Multiplicity of Steps is Required for the References to be Combined**

The combination suggested of Cragun and Serena requires a series of separate, awkward combinative steps that are too involved to be considered obvious.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to

modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as animation".

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore for Cragun to be combined with Serena's animation, a series of steps are required for Cragun to add such animation. Cragun needs to add an animation option to work with his block

and hide options. The animation needs to be added to Cragun's browser displayed icon, blank icon, and blank area.

Should Cragun require more than one animation for "varietal content replacement", then additional steps are required to add the animations as an option and as a replacement, and still further steps are required so that the user can delineate which animation to use.

In regards to claim 26, the suggested combination of Cragun and Serena does **not** teach the claim because the combination requires a series of separate and awkward combinative steps.

Claim 26 recites the novel physical features of "The method of Claim 24, further including using animation in said non-advertising illustration."

Hence the combination of Cragun and Serena in the manner suggested requires a multiplicity of separate, awkward combinative steps that are too involved to be considered obvious.

**From the combination reasons discussed**, the applicant submits that new claim 26 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and Serena under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 26 is a fortiori patentable and should also be allowed.

**Claim 13 is Rejected on Cragun and Serena Under § 103**

As mentioned the O.A. states "Claims 12, 13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of Serena (US Patent 6,912,571)."

What the O.A. states regarding claim 13 is discussed in the above heading "Claim 12 is Rejected on Cragun and Serena Under § 103".

**A Review of the References of Cragun and Serena:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

Serena is discussed in the above heading "A Review of the Reference of Serena:".

**Claim 13, Now New Dependent Claim 27, Is A Fortiori Patentable**

**Over Cragun and Serena**

Claim 13, now new dependent claim 27, incorporates all the subject matter of independent claim 24 and adds additional subject matter which makes the claim a fortiori and independently patentable over Cragun and Serena, or any combination thereof.

Dependent claim 13 is amended to completely and correctly correspond in language and numbering with new independent claim 24.

Claim 13 is canceled and is now new claim 27 which recites:

"The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

New claim 27 amends canceled claim 13 in the following ways with the accompanying reasons:

**1.** The "device" is deleted before "of Claim" and replaced with "method" to make claim 27 logical and precise under § 112, second paragraph.

**2.** The "12" is deleted after "of Claim" and replaced with "24" to make claim 27 clear and precise under § 112, second paragraph.

**3.** The "for superimposing" is deleted after "an internet advertising", and replaced with "superimposed" to use the same element from the preamble of new referred claim 24, and to make claim 27 clear and logical under § 112, second paragraph.

The applicant submits that new claim 27 amends canceled claim 13 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 27 under 35 U.S.C. § 112.

**The Rejection of Claim 13, Now New Claim 27, on the Combination of Cragun and Serena Overcome Under § 103**

The applicant respectfully disagrees that "Cragun teaches an internet advertisement blocking device as in claim 9." The reasons for claim 9 are discussed in the above headings of "Claim 9 is Amended, and Is Now New Independent Claim 24 Under § 112" and "The Rejection of Claim 9, Now New Independent Claim 24, on Cragun Overcome Under § 102" and "Claim 24 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

Claim 13 is canceled and is now new claim 27.

Since new dependent claim 27 incorporates all the limitations of independent claim 24, claim 27 is patentable for the same reasons given with respect to claim 24. Claim 27 is even more

patentable because it adds the additional elements of "further including an internet advertising superimposed over said internet advertisement."

The applicant respectfully disagrees that claim 27 is unpatentable due to the combination of Cragun and Serena.

The applicant requests reconsideration of this rejection, for the following reasons:

1. Intended functions destroyed.
2. Unsuggested combination.
3. References are individually complete.
4. The references teach away.
5. Modifications are necessary for the references to be combined.
6. Claimed features lacking.
7. The novel physical features of claim 27 produce new and unexpected results and hence are unobvious and patentable over Cragun and Serena under § 103.
8. A multiplicity of steps is required for the references to be combined.

**1. Intended Functions Destroyed**

Cragun and Serena can't be legally combined since doing so will destroy their intended functions.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might

be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

To "modify the advertisement replacement of Cragun" to include an advertisement of Serena would destroy the intended functions of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Serena's intended functions of an advertisement that is replaced and prevented from reaching the user, and inserting another advertisement are destroyed if combined with Cragun. This is because Cragun teaches the selective disabling the display of images with a blocking browser displayed icon. And because none of Serena's advertisements are disabled with Cragun's blocking browser displayed icon.

In regards to applicants' claim 27, the proposed combination of Cragun and Serena does **not** teach the claim because their intended functions are destroyed if combined.

Claim 27 recites the novel physical features of "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Hence the intended functions of Cragun and Serena are destroyed if combined.

**2. Unsuggested Combination**

The references of Cragun and Serena do not contain any suggestion (express or implied) that they be combined, or that they be combined in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in

order to obtain said replacement with further content, such as...an internet advertising for superimposing over said internet advertisement."

Serena does **not** teach "an internet advertising for superimposing over said internet advertisement", as stated in the O.A..

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Cragun and Serena is an unsuggested combination because "to modify the advertisement replacement of Cragun" to include an advertisement of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

In addition Cragun does not contain any suggestion of combining with Serena because their inventions are very different. This is because Cragun teaches disabling displayed images with a browser displayed icon. In contrast Serena teaches replacing an advertisement that is prevented from reaching the user, before inserting another advertisement.

Serena does not contain any suggestion of combining with Cragun because none of Serena's advertisements are blocked by a browser displayed icon.

In regards to applicants' claim 27, the proposed combination of Cragun and Serena does **not** teach the claim because they are an unsuggested combination.

Claim 27 recites the novel physical features of "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Hence the combination stated in the O.A. of Cragun and Serena is an unsuggested combination.

**3. References are Individually Complete**

Both Cragun and Serena are complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to any reference.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as...an internet advertising for superimposing over said internet advertisement."

Serena does **not** teach "an internet advertising for superimposing over said internet advertisement", as stated in the O.A..

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

To "modify the advertisement replacement of Cragun" to include an advertisement of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Therefore Cragun and Serena are individually complete inventions with no reason to be combined in the manner that the O.A. has done.

In regards to applicants' claim 27, the proposed combination of Cragun and Serena does **not** teach the claim because their inventions are individually complete.

Claim 27 recites the novel physical features of "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Hence Cragun and Serena are individually complete references with no reason to use parts from or add or substitute parts to any reference.

**4. References Teach Away**

The references of Cragun and Serena themselves teach away (expressly or by implication) from the suggested combination.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the

advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as...an internet advertising for superimposing over said internet advertisement."

Serena does **not** teach "an internet advertising for superimposing over said internet advertisement", as stated in the O.A..

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Cragun teaches away from Serena because "to modify the advertisement replacement of Cragun" to include an advertisement of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Serena teaches away from Cragun because Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement. This is very different than Cragun's browser displayed icon to disable displayed images.

In regards to claim 27, the proposed combination of Cragun and Serena does **not** teach the claim because their inventions teach away from the suggested combination.

Claim 27 recites the novel physical features of "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Hence Cragun and Serena teach away (expressly or by implication) from the aforementioned combination.

**5. Modifications are Necessary for the References to be Combined**

It would be necessary to make modifications, not taught in Cragun and Serena in order to combine the references in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as...an internet advertising for superimposing over said internet advertisement."

Serena does **not** teach "an internet advertising for superimposing over said internet advertisement", as stated in the O.A..

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the

description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore it would be necessary for Cragun to make modifications to add the advertisement of Serena to work with Cragun's block and hide options. Cragun needs to add the advertisement to his browser displayed icon, blank icon, and blank area.

Should Cragun require more than one advertisement for "varietal content replacement", then additional modifications are necessary to add the advertisements as an option and as a replacement, and still further modifications are necessary so that the user can delineate which advertisement to use.

Cragun does **not** teach these modifications.

In regards to claim 27, the proposed combination of Cragun and Serena does **not** teach the claim because modifications are necessary to combine their inventions in the manner suggested.

Claim 27 recites the novel physical features of "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Hence modifications are necessary to combine Cragun and Serena, not taught by Cragun, in the manner suggested.

**6. Claimed Features Lacking**

Even if combined, Cragun and Serena would not meet all of the features of claim 27 because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

As the O.A. states, "**Cragun** fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

**Serena** does **not** teach claim 27 and it's "an internet advertising superimposed over said internet advertisement".

Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Therefore Serena lacks claim 27 and it's "an internet advertising superimposed over said internet advertisement". This is because none of Serena's advertisements are superimposed over by an internet advertising of claim 27.

Hence if combined, Cragun and Serena lack all of the features of claim 27.

**7. The Novel Physical Features of Claim 27 Produce New and Unexpected Results and Hence are Unobvious and Patentable Over Cragun and Serena Under § 103**

The applicant submits that the novel physical features of claim 27 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun and Serena, or any combination thereof.

Claim 27 recites "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits, in view of the new ground of rejection, the updated reasons that claim 13, now new claim 27, is unobvious and patentable over Cragun and Serena. The reasons also comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 27 are discussed in the following reasons:

**1) Omission of Elements:** Numerous elements of Cragun and Serena are omitted in claim 27 because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

The elements of **Cragun** that are omitted in claim 27 are: generated unmodified version documents, generated modified version documents, application manager, control tags, interface dialogs showing menu options block and hide and configure blocking, blocking lists, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icon, blank icon, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, a hotspot function, true determinations, false determinations, a determine selected window function, application-blocking manager, application-blocking list, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, create parent window function, and generated modified version documents, among other elements.

The elements of **Serena** that are omitted in claim 27 are: an observation program, predetermined content, predetermined advertisements, user preferences, a preference window with different options, preference server, replacement rules, designator strings, userID, logic sentences, any combination of visual, lexical, and semantic techniques for recognizing content, indentifiers, a

transform function H, addresses, unique addresses, matching functions, a mid-square transfer function, a folding transform function, optical character recognition techniques, parsing algorithms, database lookup techniques, a training image technique, string comparisons, logo recognitions, replacement server, white spaces, and user or affinity group statistical information, among other elements.

Thus claim 27 is simpler than Cragun and Serena without loss of capability.

**2) Cost:** Claim 27 is likely to be cheaper to build per se than Cragun and Serena and is free to use because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Claim 27 and its 2 parts of "an internet advertising superimposed over" and "said internet advertisement" are cheap to build.

The low cost result of claim 27 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ". Thus Cragun likely is many times more costly to build than the 2 parts of claim 27.

Likewise the low cost result of claim 27 is very different than Serena because his invention has numerous parts. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:". Thus Serena likely is many times more costly to build than the 2 parts of claim 27.

Claim 27 is free to use for the consumer as is customary of advertising in general.

The free cost to use result of claim 27 is very different than Cragun because his invention is embedded in browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."

Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word **"browser"** herein encompasses any application capable of selectively blocking images on a display screen."

Thus Cragun's invention, as a large browser application, typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Cragun for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 27.

Likewise the free cost to use of claim 27 is very different than Serena because his invention is a large software application that also typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Serena for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 27.

**3) Size:** Claim 27 per se is substantially smaller in size than Cragun and Serena because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Claim 27 has the 2 parts of "an internet advertising superimposed over" and "said internet advertisement". This small size of claim 27 is a benefit that is very different than Cragun and Serena.

The small size of claim 27 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 27 unnecessary for distribution by shipping.

Cragun is significantly larger in size than claim 27 because his invention has numerous parts, steps and functions that are detailed in 30 drawings with 14 detailed flowcharts. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ".

Likewise Serena is significantly larger in size than claim 27 because his invention has numerous parts. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".

The large size of Cragun and Serena makes sending their inventions on the internet much slower than claim 27.

Also the large size of Cragun's and Serena's applications, especially if they are combined with large web browser software, is typically packaged for distribution by shipping.

Thus the small size of claim 27 has advantages over Cragun and Serena.

**4) Ease of Production:** As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

Claim 27 is easier and cheaper to produce than Serena because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Claim 27 and the 2 parts of "an internet advertising" and "said internet advertisement" is easier and cheaper to produce than Serena.

The ease of production result of claim 27 is very different than Serena. Serena's numerous parts as shown in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12) and specification are needed to produce his invention. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".

Thus Serena is likely harder and more expensive to produce than the 2 parts of claim 27.

**5) Novelty:** Claim 27 has novelty over Cragun and Serena because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement." Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

Serena does **not** teach the novelty result in claim 27 of "an internet advertising superimposed over said internet advertisement."

Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Thus the novelty result in claim 27 of "an internet advertising superimposed over said internet advertisement" is very different than Serena and his invention of an advertisement that is replaced with another advertisement based on user input.

Thus claim 27 has a novelty result over Cragun and Serena.

**6) Inferior Performance:** Claim 27 may provide an inferior performance benefit because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

The "internet advertising superimposed" may perform worse than comparable internet advertising. The "said internet advertisement" of claim 27 can be "superimposed over" with an inferior "internet advertising" and this is an advantage when put to proper use. Such uses are to save costs, reduce production time, conserve such things as equipment, material, and energy. The advantages include a smaller digital size, faster download and upload times, faster "play" times, and the inferior performance of the "internet advertising superimposed" of claim 27 has throwaway digital properties.

The inferior performance results of claim 27 are very different than Cragun because his invention produces a value added web browser or a value added document.

The inferior performance of claim 2 is demonstrated in working models in which the blocking images are inferior to comparable internet images.

**7) Development:** Claim 27 is already designed for the market because it has the 2 parts from the novel physical features in the claim of: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

The development result of claim 27 is very different than Serena because the numerous parts as shown in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12) and specification are needed to develop his invention. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".

Thus Serena requires such things for development like much more engineering and appearance work than the 2 parts of claim 27.

**8) Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and production techniques. However claim 27 requires a modest or no change in new production

facilities, a tremendous advantage because the claim has 2 parts. The novel physical features of claim 27 are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

The 2 parts of claim 27 are "an internet advertising" and "said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

The modest or no change in production facilities result of claim 27 is very different than Serena because his invention is

so complex, specific, and limiting with its numerous parts and steps. Serena teaches these parts and steps that are needed to produce his invention in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12), and in his specification.

Thus the numerous parts and steps of Serena results in a significantly larger change in production facilities and techniques than claim 27.

**9) Unexpected Results:** The results achieved by claim 27 are new, unexpected, unsuggested, unusual, and surprising as of the applicant's filing date because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and

replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus claim 27 and its unexpected result of "an internet advertising superimposed over said internet advertisement" is very different than Serena and his advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

**10) Unsuggested Modification:** Cragun and Serena lack any suggestion that their inventions should be modified in a manner to required to meet claim 27 because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

Serena does **not** teach claim 27 and it's "an internet advertising superimposed over said internet advertisement".

Thus Cragun and Serena clearly lack any suggestion that their inventions should be modified in a manner required to meet claim 27.

**11) Poor References:** The references of Cragun and Serena are foreign and conflicting to claim 27 because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27. Cragun is foreign to claim 27.

Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and

replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Hence Serena and his advertisement that is replaced and prevented from reaching the user before inserting another advertisement conflicts with claim 27 and it's "an internet advertising superimposed over said internet advertisement."

Thus Cragun and Serena are foreign and conflicts with claim 27, and therefore the references are weak and should be construed narrowly.

**12) Misunderstood Reference:** Cragun and Serena do **not** teach what the O.A. relies upon it as supposedly teaching because the novel physical features of claim 27 are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

Claim 27 is very different than Serena because he does **not** teach the claim's "an internet advertising superimposed over said internet advertisement".

Instead Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena and his advertisement that is replaced and prevented from reaching the user before inserting another advertisement is a misunderstood reference to claim 27 and it's "an internet advertising superimposed over said internet advertisement."

**13) Contrarian Invention:** As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

However claim 27 is contrary to the teaching of Serena because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Claim 27 and its "internet advertising superimposed over said internet advertisement" goes against the grain of what Serena teaches because his advertisement is, instead, replaced with another advertisement.

In addition claim 27 goes against the grain of what Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus claim 27 and its "internet advertising superimposed over said internet advertisement" is very different than Serena and his advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

**14) Strained interpretations:** The O.A. has made a strained interpretation of Cragun and Serena that could be made only in hindsight because the novel physical features of claim 27 are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

Serena does **not** teach claim 27 and it's "an internet advertising superimposed over said internet advertisement".

Instead Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user before inserting another advertisement. This is very different than claim 27 and its "an internet advertising superimposed over said internet advertisement."

Thus the references are a strained interpretation of claim 27.

**15) New Principle of Operation:** Claim 27 utilizes a new principle of operation because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 13, now claim 27.

Likewise **Serena** does **not** teach the new principle of operation in claim 27 of "an internet advertising superimposed over said internet advertisement."

The applicant has blazed a trail, rather than followed one.

**16) No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 27, including its differences over Cragun and Serena, would have been obvious because the novel physical features of the claim are: "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."

Cragun and Serena clearly do **not** teach the new and unexpected function in claim 27 of "an internet advertising superimposed over said internet advertisement."

As the O.A. states, "Cragun fails to teach...an internet advertising for superimposing over said internet advertisement" of claim 12, now claim 27.

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user before inserting another advertisement. This is very different than claim 27 and its "an internet advertising superimposed over said internet advertisement."

Therefore there is no convincing reason claim 27 is obvious on Cragun on Serena.

**From the reasons discussed**, the applicant submits that new claim 27 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun and Serena under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 27 is a fortiori patentable and should also be allowed.

**8. A Multiplicity of Steps is Required for the References to be Combined**

The combination suggested of Cragun and Serena requires a series of separate, awkward combinative steps that are too involved to be considered obvious.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said replacement with further content, such as...an internet advertising for superimposing over said internet advertisement."

Serena does **not** teach "an internet advertising for superimposing over said internet advertisement", as stated in the O.A..

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and

hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore for Cragun to be combined with Serena's advertisement, a series of steps are required for Cragun to add such advertisement. Cragun needs to add an advertisement option to work with his block and hide options. The advertisement needs to be added to Cragun's browser displayed icon, blank icon, and blank area.

Should Cragun require more than one advertisement for "varietal content replacement", then additional steps are required to add the advertisements as an option and as a replacement, and still further steps are required so that the user can delineate which advertisement to use.

In regards to claim 27, the suggested combination of Cragun and Serena does **not** teach the claim because the combination requires a series of separate and awkward combinative steps.
Claim 27 recites the novel physical features of "The method of Claim 24, further including an internet advertising superimposed over said internet advertisement."
Hence the combination of Cragun and Serena in the manner suggested requires a multiplicity of separate, awkward combinative steps that are too involved to be considered obvious.
**From the combination reasons discussed**, the applicant submits that new claim 27 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and Serena under 35 U.S.C § 103, and solicits reconsideration.
Accordingly the applicant submits that new dependent claim 27 is a fortiori patentable and should also be allowed.

**Claim 16 is Rejected on Cragun and Serena Under § 103**

As mentioned the O.A. states "Claims 12, 13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of Serena (US Patent 6,912,571)."
The O.A. further states "Regarding claims 16 and 17, Cragun teaches a method as in claim 1. However, Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising and wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising.

Serena teaches a method for replacing advertising content with further content, similar to that of Cragun. Furthermore, Serena teaches that said advertising content may be replaced with a variety of content types, including text, video, sounds, images, movies, or further advertisements, at col. 5, lines 46-65, and col. 5, lines 12-32.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising and wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising space.

One would have been motivated to make such a combination for the advantage of providing more relevant content to a user, filtering content, or allowing a user to ignore selected content. See Serena, col. 3, lines 37-55."

Claim 17 is discussed after claim 16.

**A Review of the References of Cragun and Serena:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

Serena is discussed in the above heading "A Review of the Reference of Serena:".

**Claim 16, Now New Dependent Claim 21, Is A Fortiori Patentable Over Cragun and Serena**

Claim 16, now new dependent claim 21, incorporates all the subject matter of independent claim 1 and adds additional subject matter which makes the claim a fortiori and independently patentable over Cragun and Serena, or any combination thereof.

Dependent claim 16 is amended to completely and correctly correspond in language with independent claim 1.

Claim 16 is canceled and is now new claim 21 which recites:

"The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

New claim 21 amends canceled claim 16 in the following ways with the accompanying reasons:

**1.** The "images or images" is deleted before "of Claim" and replaced with "first means" to use the exact title of referred claim 1 and to make claim 21 clear and precise under § 112, second paragraph.

**2.** The "space" is deleted after "said internet advertising" to make claim 21 clear and precise under § 112, second paragraph.

The applicant submits that new claim 21 amends canceled claim 16 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 21 under 35 U.S.C. § 112.

**The Rejection of Claim 16, Now New Claim 21, on the Combination**

**of Cragun and Serena Overcome Under § 103**

The applicant respectfully disagrees that "Regarding claims 16 and 17, Cragun teaches a method as in claim 1." The reasons for claim 1 are discussed in the above headings of "The Rejection of Independent Claim 1 on Cragun Overcome Under § 102" and "Claim 1 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

Claim 16 is canceled and is now new claim 21.

Since new dependent claim 21 incorporates all the limitations of independent claim 1, claim 21 is patentable for the same reasons given with respect to claim 1. Claim 21 is even more patentable because it adds the additional elements of "further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

The applicant respectfully disagrees that claim 21 is unpatentable due to the combination of Cragun and Serena.

The applicant requests reconsideration of this rejection, for the following reasons:

1. Intended functions destroyed.
2. Unsuggested combination.
3. References are individually complete.
4. References teach away.
5. Modifications are necessary for the references to be combined.
6. Claimed features lacking.
7. The novel physical features of claim 21 produce new and unexpected results and hence are unobvious and patentable over Cragun and Serena under § 103.
8. A multiplicity of steps is required for the references to be combined.

**1. Intended Functions Destroyed**

Cragun and Serena can't be legally combined since doing so will destroy their intended functions.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25

response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

To "modify the advertisement replacement of Cragun" to include the animation of Serena would destroy the intended functions of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Serena's intended functions of an advertisement that is replaced and prevented from reaching the user, and inserting another advertisement are destroyed if combined with Cragun. This is because Cragun teaches the selective disabling the display of images with a blocking browser displayed icon. And because none of Serena's advertisements are disabled with Cragun's blocking browser displayed icon.

In regards to applicants' claim 21, the proposed combination of Cragun and Serena does **not** teach the claim because their intended functions are destroyed if combined.

Claim 21 recites the novel physical features of "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Hence the intended functions of Cragun and Serena are destroyed if combined

**2. Unsuggested Combination**

The references of Cragun and Serena do not contain any suggestion (express or implied) that they be combined, or that they be combined in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and

replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Cragun and Serena is an unsuggested combination because "to modify the advertisement replacement of Cragun" to include a digital video of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

In addition Cragun does not contain any suggestion of combining with Serena because their inventions are very different. This is because Cragun teaches disabling displayed images with a browser displayed icon. In contrast Serena teaches replacing an advertisement that is prevented from reaching the user, before inserting another advertisement.

Serena does not contain any suggestion of combining with Cragun because none of Serena's advertisements are blocked by a browser displayed icon.

In regards to applicants' claim 21, the proposed combination of Cragun and Serena does **not** teach the claim because they are an unsuggested combination.

Claim 21 recites the novel physical features of "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Hence the combination stated in the O.A. of Cragun and Serena is an unsuggested combination

**3. References are Individually Complete**

Both Cragun and Serena are complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to any reference.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

To "modify the advertisement replacement of Cragun" to include the digital video of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Therefore Cragun and Serena are individually complete inventions with no reason to be combined in the manner that the O.A. has done.

In regards to applicants' claim 21, the proposed combination of Cragun and Serena does **not** teach the claim because their inventions are individually complete.

Claim 21 recites the novel physical features of "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Hence Cragun and Serena are individually complete references with no reason to use parts from or add or substitute parts to any reference.

**4. References Teach Away**

The references of Cragun and Serena themselves teach away (expressly or by implication) from the suggested combination.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation

program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Cragun teaches away from Serena because "to modify the advertisement replacement of Cragun" to include the digital video of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Serena teaches away from Cragun because Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement. This is very different than Cragun's browser displayed icon to disable displayed images.

In regards to claim 21, the proposed combination of Cragun and Serena does **not** teach the claim because their inventions teach away from the suggested combination.

Claim 21 recites the novel physical features of "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Hence Cragun and Serena teach away (expressly or by implication) from the aforementioned combination.

**5. Modifications are Necessary for the References to be Combined**

It would be necessary to make modifications, not taught in Cragun and Serena in order to combine the references in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further

described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore it would be necessary for Cragun to make modifications to add the digital video of Serena to work with Cragun's block and hide options. Cragun needs to add the digital video to his browser displayed icon, blank icon, and blank area.

Should Cragun require more than one digital video for "varietal content replacement", then additional modifications are necessary to add the digital videos as an option and as a replacement, and still further modifications are necessary so that the user can delineate which digital video to use.

Cragun does **not** teach these modifications.

In regards to claim 21, the proposed combination of Cragun and Serena does **not** teach the claim because modifications are necessary to combine their inventions in the manner suggested.
Claim 21 recites the novel physical features of "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."
Hence modifications are necessary to combine Cragun and Serena, not taught by Cragun, in the manner suggested.

**6. Claimed Features Lacking**

Even if combined, Cragun and Serena would not meet all of the features of claim 21 because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."
As the O.A. states, "**Cragun** fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.
**Serena** does **not** teach claim 21 and it's "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".
Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."
Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."
Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Therefore Serena lacks claim 21 and it's "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising". This is because none of Serena's advertisements are substantially concealed by a digital video of a blocking nature of claim 21. Hence if combined, Cragun and Serena lack all of the features of claim 21.

**7. The Novel Physical Features of Claim 21 Produce New and Unexpected Results and Hence are Unobvious and Patentable Over Cragun and Serena Under § 103**

The applicant submits that the novel physical features of claim 21 are also unobvious and hence patentable under § 103 since they produce new and unexpected results Cragun and over Serena, or any combination thereof.

Claim 21 recites "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits, in view of the new ground of rejection, the updated reasons that claim 16, now new claim 21, is unobvious and patentable over Cragun and Serena. The reasons also comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 21 are discussed in the following reasons:

**1) Omission of Elements:** Numerous elements of Cragun and Serena are omitted in claim 21 because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

The elements of **Cragun** that are omitted in claim 21 are: generated unmodified version documents, generated modified version documents, application manager, control tags, interface dialogs showing menu options block and hide and configure blocking, blocking lists, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icon, blank icon, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, a hotspot function, true determinations, false determinations, a determine selected

window function, application-blocking manager, application-blocking list, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, create parent window function, and generated modified version documents, among other elements.

The elements of **Serena** that are omitted in claim 21 are: an observation program, predetermined content, predetermined advertisements, user preferences, a preference window with different options, preference server, replacement rules, designator strings, userID, logic sentences, any combination of visual, lexical, and semantic techniques for recognizing content, indentifiers, a transform function H, addresses, unique addresses, matching functions, a mid-square transfer function, a folding transform function, optical character recognition techniques, parsing algorithms, database lookup techniques, a training image technique, string comparisons, logo recognitions, replacement server, white spaces, and user or affinity group statistical information, among other elements.

Thus claim 21 is simpler than Cragun and Serena without loss of capability.

**2) Cost:** Claim 21 is likely to be cheaper to build per se than Cragun and Serena and is free to use because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Claim 21 and its 2 parts of "a digital video of said blocking nature" and "said internet advertisng space" are cheap to build.

The low cost result of claim 21 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ". Thus Cragun likely is many times more costly to build than the 2 parts of claim 21.

Likewise the low cost result of claim 21 is very different than Serena because his invention has numerous parts. The numerous elements of Serena are discussed in the above subheading of "1)

Omission of Elements:". Thus Serena likely is many times more costly to build than the 2 parts of claim 21.

Claim 21 is free to use for the consumer as is customary of advertising in general.

The free cost to use result of claim 21 is very different than Cragun because his invention is embedded in browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."

Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word "**browser**" herein encompasses any application capable of selectively blocking images on a display screen."

Thus Cragun's invention, as a large browser application, typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Cragun for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 21.

The free cost to use result of claim 21 is very different than Serena because his invention is a large software application that typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Serena to a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 21.

**3) Size:** Claim 21 per se is substantially smaller in size than Cragun and Serena because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising." Claim 21 has the 2 parts of "a digital video of said blocking nature" and "said internet advertisng space". This small size of claim 21 is a benefit that is very different than Cragun and Serena.

The small size of claim 21 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 21 unnecessary for distribution by shipping.

Cragun is significantly larger in size than claim 21 because his invention has numerous parts, steps and functions that are detailed in 30 drawings with 14 detailed flowcharts. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ".

Likewise Serena is significantly larger in size than claim 21 because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above subheading of "1) Omission of Elements:".

The large size of Cragun and Serena makes sending their inventions on the internet much slower than claim 21.

Also the large size of Cragun's and Serena's applications, especially if they are combined with large web browser software, is typically packaged for distribution by shipping.

Thus the small size of claim 21 has advantages over Cragun and Serena.

**4) Ease of Production:** As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

Claim 21 is easier and cheaper to produce than Serena because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Claim 21 and its 2 parts of "a digital video" and "said internet advertising" are easier to produce than Serena.

The ease of production result of claim 21 is very different than Serena. Serena's numerous parts as shown in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12) and specification are needed to produce his invention. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".

Thus Serena is likely harder and more expensive to produce than the 2 parts of claim 21.

**5) Novelty:** Claim 21 has novelty over Cragun and Serena because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking

nature of sufficient size to substantially conceal said internet advertising." Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.
As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.
Serena does **not** teach the novelty result in claim 21 of "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."
Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."
Thus claim 21 is very different than Serena because the claim recites the novel physical features of "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising." Instead Serena teaches an advertisement that is replaced with another advertisement based on user input.
Thus claim 21 has a novelty result over Cragun and Serena.
**6) Development:** Claim 21 is already designed for the market because it has 2 parts from the novel physical features in the claim of: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."
As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.
The development result of claim 21 is very different than Serena because the numerous parts as shown in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12) and specification are needed to develop his invention. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".
Thus Serena requires such things for development like much more engineering and appearance work than the 2 parts of claim 21.
**7) Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and

production techniques. However claim 21 requires a modest or no change in new production facilities, a tremendous advantage because the claim has 2 parts.

The novel physical features of claim 21 are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

The 2 parts of claim 21 are "a digital video" and "said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

The modest or no change in production facilities result of claim 21 is very different than Serena because his invention is

so complex, specific, and limiting with its numerous parts and steps. Serena teaches these parts and steps that are needed to produce his invention in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12), and in his specification.

Thus the numerous parts and steps of Serena results in a significantly larger change in production facilities and techniques than claim 21.

**8) Unexpected Results:** The results achieved by claim 21 are new, unexpected, unsuggested, unusual, and surprising as of the applicant's filing date because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information

exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus claim 21 and its unexpected result of "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" is very different than Serena and his advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

**9) Unsuggested Modification:** Cragun and Serena lack any suggestion that their inventions should be modified in a manner to required to meet claim 21 because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

Serena does **not** teach teach claim 21 and its "digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".

Thus Cragun and Serena clearly lack any suggestion that their inventions should be modified in a manner required to meet claim 21.

**10) Poor References:** The references of Cragun and Serena is foreign and conflicting to claim 21 because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21. Cragun is foreign to claim 21.

Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Hence Serena and his advertisement that is replaced with another advertisement conflicts with claim 21 and it's "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Thus Cragun and Serena are foreign and conflicts with claim 21, and therefore the references are weak and should be construed narrowly.

**11) Contrarian Invention:** As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

Claim 21 is contrary to the teaching of Serena because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

The claim 21 and its "digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" go against the grain of what Serena teaches because his advertisement is, instead, replaced with another advertisement.

**12) New Principle of Operation:** Claim 21 utilizes a new principle of operation because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

Serena does **not** teach the new principle of operation in claim 21 of "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

The applicant has blazed a trail, rather than followed one.

**13) Misunderstood Reference:** Cragun and Serena do **not** teach what the O.A. relies upon it as supposedly teaching because the novel physical features of claim 21 are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

Serena does **not** teach claim 21 and its "digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".

**14) Strained interpretations:** The O.A. has made a strained interpretation of Cragun and Serena that could be made only in hindsight because the novel physical features of claim 21 are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

Serena does **not** teach the claim 21 and it's "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".

Instead Serena teaches the very different result of an advertisement that is prevented from reaching the user, and that is replaced by another advertisement.

Therefore the references are a strained interpretation of claim 21.

**15) No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 21, including its differences over Cragun and Serena, would have been obvious because the novel physical features of the claim are: "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Cragun and Serena clearly do **not** teach the new and unexpected function in claim 21 of "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach such further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising" of claim 16, now claim 21.

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user before inserting another advertisement. This is very different than claim 21 and it's "a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Therefore there is no convincing reason claim 21 is obvious on Cragun on Serena.

**From the reasons discussed**, the applicant submits that new claim 21 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun and Serena under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 21 is a fortiori patentable and should also be allowed.

**8. A Multiplicity of Steps is Required for the References to be Combined**

The combination suggested of Cragun and Serena requires a series of separate, awkward combinative steps that are too involved to be considered obvious.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain said further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising".

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore for Cragun to be combined with Serena's digital video, a series of steps are required for Cragun to add such digital video. Cragun needs to add a digital video option to work with his block and hide options. The digital video needs to be added to Cragun's browser displayed icon, blank icon, and blank area.

Should Cragun require more than one digital video for "varietal content replacement", then additional steps are required to add the digital videos as an option and as a replacement, and still further steps are required so that the user can delineate which digital video to use.

In regards to claim 21, the suggested combination of Cragun and Serena does **not** teach the claim because the combination requires a series of separate and awkward combinative steps.

Claim 21 recites the novel physical features of "The first means of Claim 1, further including a digital video of said blocking nature of sufficient size to substantially conceal said internet advertising."

Hence the combination of Cragun and Serena in the manner suggested requires a multiplicity of separate, awkward combinative steps that are too involved to be considered obvious.

**From the combination reasons discussed,** the applicant submits that new claim 21 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and Serena under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 21 is a fortiori patentable and should also be allowed.

**Claim 17 is Rejected on Cragun and Serena Under § 103**

As mentioned the O.A. states "Claims 12, 13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of Serena (US Patent 6,912,571)."

What the O.A. states regarding claim 17 is discussed in the above heading "Claim 16 is Rejected on Cragun and Serena Under § 103".

**A Review of the References of Cragun and Serena:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

Serena is discussed in the above heading "A Review of the Reference of Serena:".

**Claim 17, Now New Dependent Claim 22, Is A Fortiori Patentable**

**Over Cragun and Serena**

Claim 17, now new claim 22, incorporates all the subject matter of independent claim 1 and adds additional subject matter which makes the claim a fortiori and independently patentable over Cragun and Serena, or any combination thereof.

Dependent claim 17 is amended to completely and correctly correspond in language with independent claim 1.

Claim 17 is canceled and is now new claim 22 which recites:

"The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

New claim 22 amends canceled claim 17 in the following ways with the accompanying reasons:

**1.** The "second" is deleted before "means of Claim" and replaced with "first" to use the exact title of referred claim 1 and to make claim 22 clear and precise under § 112, second paragraph.

**2.** The "space" is deleted after "said internet advertising" to make claim 22 clear and precise under § 112, second paragraph.

The applicant submits that new claim 22 amends canceled claim 17 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 22 under 35 U.S.C. § 112.

**The Rejection of Claim 17, Now New Claim 22, on the Combination of Cragun and Serena Overcome Under § 103**

The applicant respectfully disagrees that "Regarding claims 16 and 17, Cragun teaches a method as in claim 1." The reasons for claim 1 are discussed in the above headings of "The Rejection of Independent Claim 1 on Cragun Overcome Under § 102" and "Claim 1 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

Claim 17 is canceled and is now new claim 22.

Since new dependent claim 22 incorporates all the limitations of independent claim 1, claim 22 is patentable for the same reasons given with respect to claim 1. Claim 22 is even more patentable because it adds the additional elements of "wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

The applicant respectfully disagrees that claim 22 is unpatentable due to the combination of Cragun and Serena.

The applicant requests reconsideration of this rejection, for the following reasons:

1. Intended functions destroyed.
2. Unsuggested combination.
3. References are individually complete.
4. References teach away.
5. Modifications are necessary for the references to be combined.
6. Claimed features lacking.
7. The novel physical features of claim 22 produce new and unexpected results and hence are unobvious and patentable over Cragun and Serena under § 103.
8. A multiplicity of steps is required for the references to be combined.

**1. Intended Functions Destroyed**

Cragun and Serena can't be legally combined since doing so will destroy their intended functions.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and

replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

To "modify the advertisement replacement of Cragun" to include an advertisement of Serena would destroy the intended functions of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Serena's intended functions of an advertisement that is replaced and prevented from reaching the user, and inserting another advertisement are destroyed if combined with Cragun. This is because Cragun teaches the selective disabling the display of images with a blocking browser displayed icon. And because none of Serena's advertisements are disabled with Cragun's blocking browser displayed icon.

In regards to applicants' claim 22, the proposed combination of Cragun and Serena does **not** teach the claim because their intended functions are destroyed if combined.

Claim 22 recites the novel physical features of "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Hence the intended functions of Cragun and Serena are destroyed if combined.

**2. Unsuggested Combination**

The references of Cragun and Serena do not contain any suggestion (express or implied) that they be combined, or that they be combined in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising space."

Serena does **not** teach "wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising", as stated in the O.A..

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Cragun and Serena is an unsuggested combination because "to modify the advertisement replacement of Cragun" to include an advertisement of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

In addition Cragun does not contain any suggestion of combining with Serena because their inventions are very different. This is because Cragun teaches disabling displayed images with a browser displayed icon. In contrast Serena teaches replacing an advertisement that is prevented from reaching the user, before inserting another advertisement.

Serena does not contain any suggestion of combining with Cragun because none of Serena's advertisements are blocked by a browser displayed icon.

In regards to applicants' claim 22, the proposed combination of Cragun and Serena does **not** teach the claim because they are an unsuggested combination.

Claim 22 recites the novel physical features of "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Hence the combination stated in the O.A. of Cragun and Serena is an unsuggested combination

**3. References are Individually Complete**

Both Cragun and Serena are complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to any reference.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising space."

Serena does **not** teach "wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising", as stated in the O.A..

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Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

To "modify the advertisement replacement of Cragun" to include an advertisement of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Therefore Cragun and Serena are individually complete inventions with no reason to be combined in the manner that the O.A. has done.

In regards to applicants' claim 22, the proposed combination of Cragun and Serena does **not** teach the claim because their inventions are individually complete.

Claim 22 recites the novel physical features of "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Hence Cragun and Serena are individually complete references with no reason to use parts from or add or substitute parts to any reference.

**4. References Teach Away**

The references of Cragun and Serena themselves teach away (expressly or by implication) from the suggested combination.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in

order to obtain...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising space."

Serena does **not** teach "wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising", as stated in the O.A..

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**Serena** teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Cragun teaches away from Serena because "to modify the advertisement replacement of Cragun" to include an advertisement of Serena would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

Serena teaches away from Cragun because Serena teaches an advertisement that is replaced and

prevented from reaching the user, before inserting another advertisement. This is very different than Cragun's browser displayed icon to disable displayed images.

In regards to claim 22, the proposed combination of Cragun and Serena does **not** teach the claim because their inventions teach away from the suggested combination.

Claim 22 recites the novel physical features of "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Hence Cragun and Serena teach away (expressly or by implication) from the aforementioned combination.

**5. Modifications are Necessary for the References to be Combined**

It would be necessary to make modifications, not taught in Cragun and Serena in order to combine the references in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in order to obtain...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising space."

Serena does **not** teach "wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising", as stated in the O.A..

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the

description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore it would be necessary for Cragun to make modifications to add the advertisement of Serena to work with Cragun's block and hide options. Cragun needs to add the advertisement to his browser displayed icon, blank icon, and blank area.

Should Cragun require more than one advertisement for "varietal content replacement", then additional modifications are necessary to add the advertisements as an option and as a replacement, and still further modifications are necessary so that the user can delineate which advertisement to use.

Cragun does **not** teach these modifications.

In regards to claim 22, the proposed combination of Cragun and Serena does **not** teach the claim because modifications are necessary to combine their inventions in the manner suggested.

Claim 22 recites the novel physical features of "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Hence modifications are necessary to combine Cragun and Serena, not taught by Cragun, in the manner suggested.

**6. Claimed Features Lacking**

Even if combined, Cragun and Serena would not meet all of the features of claim 22 because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

As the O.A. states, "**Cragun** fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

**Serena** does **not** teach claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

Therefore Serena lacks claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising." This is because none of Serena's advertisements are substantially concealed by an internet advertising of claim 22.

Hence if combined, Cragun and Serena lack all of the features of claim 22.

**7. The Novel Physical Features of Claim 22 Produce New and Unexpected Results and Hence are Unobvious and Patentable Over Cragun and Serena Under § 103**

The applicant submits that the novel physical features of claim 22 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun and Serena, or any combination thereof.

Claim 22 recites "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits, in view of the new ground of rejection, the updated reasons that claim 17, now new claim 22, is unobvious and patentable over Cragun and Serena. The reasons also comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 22 are discussed in the following reasons:

1) **Omission of Elements:** Numerous elements of Cragun and Serena are omitted in claim 22 because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

The elements of **Cragun** that are omitted in claim 22 are: generated unmodified version documents, generated modified version documents, application manager, control tags, interface dialogs showing menu options block and hide and configure blocking, blocking lists, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icon, blank icon, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, a hotspot function, true determinations, false determinations, a determine selected window function, application-blocking manager, application-blocking list, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, create parent window function, and generated modified version documents, among other elements.

The elements of **Serena** that are omitted in claim 22 are: an observation program, predetermined content, predetermined advertisements, user preferences, a preference window with different options, preference server, replacement rules, designator strings, userID, logic sentences, any combination of visual, lexical, and semantic techniques for recognizing content, indentifiers, a transform function H, addresses, unique addresses, matching functions, a mid-square transfer function, a folding transform function, optical character recognition techniques, parsing algorithms, database lookup techniques, a training image technique, string comparisons, logo recognitions, replacement server, white spaces, and user or affinity group statistical information, among other elements.

Thus claim 22 is simpler than Cragun and Serena without loss of capability.

**2) Cost:** Claim 22 is likely to be cheaper to build per se than Cragun and van Hoff and is free to use because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Claim 22 and its 2 parts of "an internet advertisement of said blocking nature" and "said internet advertising" are cheap to build.

The low cost result of claim 22 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ". Thus Cragun likely is many times more costly to build than the 2 parts of claim 22.

Likewise the low cost result of claim 22 is very different than Sereana because his invention has numerous parts. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:". Thus Serena likely is many times more costly to build than the 2 parts of claim 22.

Claim 22 is free to use for the consumer as is customary of advertising in general.

The free cost to use result of claim 22 is very different than Cragun because his invention is embedded in browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."
Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word "**browser**" herein encompasses any application capable of selectively blocking images on a display screen."
Thus Cragun's invention, as a large browser application, typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Cragun for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 22.
Likewise the free cost to use of claim 22 is very different than Serena because his invention is a large software application that also typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Serena for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 22.
**3) Size:** Claim 22 per se is substantially smaller in size than Cragun and Serena because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."
Claim 22 has the 2 parts of "an internet advertisement of said blocking nature" and "said internet advertising". This small size of claim 22 is a benefit that is very different than Cragun and Serena.
The small size of claim 22 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 22 unnecessary for distribution by shipping.

Cragun is significantly larger in size than claim 22 because his invention has numerous parts, steps and functions that are detailed in 30 drawings with 14 detailed flowcharts. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ".
Likewise Serena is significantly larger in size than claim 22 because his invention has numerous parts. The numerous elements of Serena are discussed in the above subheading of "1) Omission of Elements:".
The large size of Cragun and Serena makes sending their inventions on the internet much slower than claim 22.
Also the large size of Cragun's and Serena's applications, especially if they are combined with large web browser software, is typically packaged for distribution by shipping.
Thus the small size of claim 22 has advantages over Cragun and Serena.

**4) Ease of Production:** As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.
Claim 22 is easier and cheaper to produce than Serena because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."
Claim 22 and its 2 parts of "an internet advertisement of said blocking nature" and "said internet advertising" are easier and cheaper to produce than Serena.
The ease of production result of claim 22 is very different than Serena because the numerous parts as shown in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12), and specification are needed to produce his invention.
Thus Serena is likely harder and more expensive to produce than the 2 parts of claim 22.

**5) Novelty:** Claim 22 has novelty over Cragun and Serena because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."
Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.

As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

Serena does **not** teach the novelty result in claim 22 of "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Thus claim 22 is very different than Serena because the claim recites the novel physical features of "an internet advertisement of said blocking nature to substantially conceal said internet advertising." Instead Serena teaches an advertisement that is replaced with another advertisement based on user input.

Thus claim 22 has a novelty result over Cragun and Serena.

**6) Inferior Performance:** Claim 22 may provide an inferior performance benefit because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

The "said image or images is made of an internet advertisement of said blocking nature" may perform worse than comparable internet advertising. Claim 22 can "conceal said internet advertising" with an inferior "internet advertisement of said blocking nature" and this is an advantage when put to proper use. Such uses are to save costs, reduce production time, conserve such things as equipment, material, and energy. The advantages include a smaller digital size, faster download and upload times, faster "play" times, and the inferior performance of the "internet advertisement of said blocking nature" of claim 22 has throwaway digital properties.

The inferior performance results of claim 22 are very different than Serena because he does **not** teach claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Instead Serena teaches the very different result of an advertisement that is prevented from reaching the user, and is replaced with another advertisement that produces a complicated, technical, value added software program.

**7) Development:** Claim 22 is already designed for the market because it has 2 parts from the novel physical features in the claim of: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

The development result of claim 22 is very different than Serena because the numerous parts as shown in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12), and specification are needed to develop his invention.

Thus Serena requires such things for development like much more engineering and appearance work than the 2 parts of claim 22.

**8) Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and production techniques. However claim 22 requires a modest or no change in new production facilities, a tremendous advantage because the claim has 2 parts. The novel physical features of claim 22 are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

The 2 parts of claim 22 are "an internet advertisement of said blocking nature' and "said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

The modest or no change in production facilities result of claim 22 is very different than Serena because his invention is so complex, specific, and limiting with its numerous parts and steps.

Serena teaches these parts and steps that are needed to produce his invention in his 9 drawings with 2 detailed block diagrams (Figs. 4 to 12), and in his specification.

Thus the numerous parts and steps of Serena results in a significantly larger change in production facilities and techniques than claim 22.

**9) Unexpected Results:** The results achieved by claim 22 are new, unexpected, unsuggested, unusual, and surprising as of the applicant's filing date because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."

Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus claim 22 and its unexpected result of "an internet advertisement of said blocking nature to substantially conceal said internet advertising" is very different than Serena and his advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.

**10) Unsuggested Modification:** Cragun and Serena lack any suggestion that their inventions should be modified in a manner to required to meet claim 22 because the novel physical features

of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."
As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.
Serena does **not** teach the claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising".
Thus Cragun and Serena clearly lack any suggestion that their inventions should be modified in a manner required to meet claim 22.
**11) Poor References:** The references of Cragun and Serena are foreign and conflicting to claim 22 because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."
As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22. Cragun is foreign to claim 22.
Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."
Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Hence Serena and his advertisement that is replaced and prevented from reaching the user before inserting another advertisement conflicts with claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Thus Cragun and Serena are foreign and conflicts with claim 22, and therefore the references are weak and should be construed narrowly.

**12) Misunderstood Reference:** Cragun and Serena do **not** teach what the O.A. relies upon it as supposedly teaching because the novel physical features of claim 22 are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

Claim 22 is very different than Serena because he does **not** teach the claim's "an internet advertisement of said blocking nature to substantially conceal said internet advertising".

Instead Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena and his advertisement that is replaced and prevented from reaching the user before inserting another advertisement is a misunderstood reference to claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

**13) Contrarian Invention:** As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

Claim 22 is contrary to the teachings of Serena because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."
Instead Serena teaches at col. 3, lines 23-27, "If the monitored content corresponds to the predetermined advertisement, the predetermined advertisement is replaced with another predetermined advertisement based on the user input."
Claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising" goes against the grain of what Serena teaches because his advertisement is, instead, replaced with another advertisement.
In addition claim 22 goes against the grain of what Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."
Thus claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising" is very different than Serena and his advertisement that is replaced and prevented from reaching the user, before inserting another advertisement.
**14) Strained interpretations:** The O.A. has made a strained interpretation of Cragun and Serena that could be made only in hindsight because the novel physical features of claim 22 are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."
As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

Serena does **not** teach claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Instead Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user before inserting another advertisement. This is very different than claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Therefore the references are a strained interpretation of claim 22.

**15) New Principle of Operation:** Claim 22 utilizes a new principle of operation because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22.

Likewise Serena does **not** teach the new principle of operation in claim 22 of "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

The applicant has blazed a trail, rather than followed one.

**16) No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 22, including its differences over Cragun and Serena, would have been obvious because the novel physical features of the claim are: "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Cragun and Serena clearly do **not** teach the new and unexpected function in claim 22 of "an internet advertisement of said blocking nature to substantially conceal said internet advertising." As the O.A. states, "Cragun fails to explicitly teach...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising" of claim 17, now claim 22

.Serena teaches at col. 5, lines 12-24, (without numbers) "An example of how the system might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer permits an observation program to monitor information exchanged between the financial planner application and the user's operating system. When the observation program detects the presence of an advertisement for a first bank, the observation program removes the advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user)."

Thus Serena teaches an advertisement that is replaced and prevented from reaching the user before inserting another advertisement. This is very different than claim 22 and it's "an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Therefore there is no convincing reason claim 22 is obvious on Cragun on Serena.

**From the reasons discussed**, the applicant submits that new claim 22 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun and Serena under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 22 is a fortiori patentable and should also be allowed.

**8. A Multiplicity of Steps is Required for the References to be Combined**

The combination suggested of Cragun and Serena requires a series of separate, awkward combinative steps that are too involved to be considered obvious.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and Serena before him at the time the invention was made to modify the advertisement replacement of Cragun to include the varietal content replacement of Serena, in

order to obtain...wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising space."

Serena does **not** teach "wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising", as stated in the O.A..

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore for Cragun to be combined with Serena's advertisement, a series of steps are required for Cragun to add such advertisement. Cragun needs to add an advertisement option to work with his block and hide options. The advertisement needs to be added to Cragun's browser displayed icon, blank icon, and blank area.

Should Cragun require more than one advertisement for "varietal content replacement", then additional steps are required to add the advertisements as an option and as a replacement, and still further steps are required so that the user can delineate which advertisement to use.

In regards to claim 22, the suggested combination of Cragun and Serena does **not** teach the claim because the combination requires a series of separate and awkward combinative steps.

Claim 22 recites the novel physical features of "The first means of Claim 1, wherein said image or images is made of an internet advertisement of said blocking nature to substantially conceal said internet advertising."

Hence the combination of Cragun and Serena in the manner suggested requires a multiplicity of separate, awkward combinative steps that are too involved to be considered obvious.

**From the combination reasons discussed,** the applicant submits that new claim 22 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and Serena under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 22 is a fortiori patentable and should also be allowed.

**Claims 14 and 18 are Rejected on Cragun and van Hoff Under 35 U.S.C. 103**

The O.A. states "Claims 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of van Hoff et al (US Patent 5,959,623), hereinafter van Hoff."

Prior to discussing claims 14 and 18, the applicant will first discuss the reference of van Hoff.

**A Review of the Reference of van Hoff:**

van Hoff creates a method and apparatus to provide consumers with the ability to control the timing, content, and selection of advertisements on the World Wide Web. The advertising images are displayed at all times. A predefined portion of a computer screen is programmed to display advertisements, to offer different methods to select particular information to be

displayed, and to offer different methods for accessing additional information related to the displayed advertisement images.

For example, a method for displaying lists of images or advertisements, displaying them for specified display times, and displaying a sequence of images or advertisements on the lists for specified display times.

Additionally a user is pointed to particular advertising services, general topical information, or other services which have been selected by the user for display. In an alternative embodiment the user selects other informational images other than advertisements. In another alternative embodiment the user may turn off the display of the advertisements at any time, or the user may turn on or off the informational images.

In regards to timing, the displayed advertisements or images may be programmed to be onscreen for specified periods of time.

**Claim 14 is Rejected on Cragun and van Hoff Under § 103**

As mentioned the O.A. states "Claims 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of van Hoff et al (US Patent 5,959,623), hereinafter van Hoff." The O.A. further states "Regarding claim 14, Cragun teaches a device as in claim 9. However, Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time.

van Hoff teaches a system for displaying a selected set of advertisements similar to that of Cragun. Furthermore, van Hoff teaches the display of specific images for a predetermined time period, at col. 7, lines 10-20.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the advertisement blocking device of Cragun to include the image display time period of van Hoff. One would have been motivated to make such a combination for the advantage of providing a system that allows the consumer to control the timing and content of advertisement information. See van Hoff, col. 1, lines 64-67."

**A Review of the References of Cragun and van Hoff:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

van Hoff is discussed in the above heading "A Review of the Reference of van Hoff:".

**Claim 14, Now New Dependent Claim 28, Is A Fortiori Patentable Over Cragun and van Hoff**

Claim 14, now new dependent claim 28, incorporates all the subject matter of independent claim 24 and adds additional subject matter which makes the claim a fortiori and independently patentable over Cragun and van Hoff, or any combination thereof.

Dependent claim 14 is amended to completely and correctly correspond in language and numbering with new independent claim 24.

Claim 14 is canceled and is now new claim 28 which recites:

"The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

New claim 28 amends canceled claim 14 in the following ways with the accompanying reasons:

**1.** The "device" is deleted before "of Claim" and replaced with "method" to make claim 28 logical and precise under § 112, second paragraph.

**2.** The "internet advertisement" is deleted before "of Claim", and replaced with "device" to use the exact title of new referred claim 24, and to make claim 28 clear, logical, and precise under § 112, second paragraph.

**3.** The "9" is deleted after "of Claim" and replaced with "24" to make claim 28 clear and precise under § 112, second paragraph.

**4.** The "of said device" is deleted before "to remove" to make claim 28 clear and logical under § 112, second paragraph, and to eliminate prolixity.

The applicant submits that new claim 28 amends canceled claim 14 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.

Therefore the applicant solicits allowance of new claim 28 under 35 U.S.C. § 112.

**The Rejection of Claim 14, Now New Claim 28, on the Combination of Cragun and van Hoff Overcome Under § 103**

The applicant respectfully disagrees that "Cragun teaches a device as in claim 9." The reasons for claim 9 are discussed in the above headings of "Claim 9 is Amended, and Is Now New Independent Claim 24 Under § 112" and "The Rejection of Claim 9, Now New Independent Claim 24, on Cragun Overcome Under § 102" and "Claim 24 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

Claim 14 is canceled and is now new claim 28.

Since new dependent claim 28 incorporates all the limitations of independent claim 24, claim 28 is patentable for the same reasons given with respect to claim 24. Claim 28 is even more patentable because it adds the additional elements of "further including said non-advertising illustration to remove itself after a predetermined time."

The applicant respectfully disagrees that claim 28 is unpatentable due to the combination of Cragun and van Hoff.

The applicant requests reconsideration of this rejection, for the following reasons:

1. Intended functions destroyed.
2. References are individually complete.
3. References teach away.
4. Inoperative combination.
5. Modifications are necessary for the references to be combined.
6. The novel physical features of claim 28 produce new and unexpected results and hence are unobvious and patentable over Cragun and van Hoff under § 103.
7. A multiplicity of steps is required for the references to be combined.

**1. Intended Functions Destroyed**

Cragun and van Hoff can't be legally combined since doing so will destroy their intended functions.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the

image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**van Hoff** teaches at col. 2, lines 27-29, "In the preferred embodiment, the advertising images are displayed at all times a user is logged onto the World Wide Web."

van Hoff teaches at col. 7, lines 10-15, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images".

Thus van Hoff teaches advertising images are displayed at all times, a user requests the display of a specified image for a specified period of time, or requests the display of a sequence of images or advertisements for specified display times.

The combination of Cragun and van Hoff would destroy their intended functions. Such a combination cannot perform both Cragun's functions of blocking displayed images with an icon, and van Hoff's replacing such images after specified display times with an image or a sequence of images. Replacing the displayed images of Cragun with van Hoff's image or a sequence of images would destroy the intended function of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

van Hoff's intended function of displaying advertising images at all times is destroyed if combined with Cragun. This is because Cragun teaches the selective disabling the display of images with a blocking browser displayed icon.

In regards to applicants' claim 28, the proposed combination of Cragun and van Hoff does **not** teach the claim because their intended functions are destroyed if combined.

Claim 28 recites the novel physical features of "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Hence the intended functions of Cragun and van Hoff are destroyed if combined.

**2. References are Individually Complete**

Both Cragun and van Hoff are complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to any reference.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the advertisement blocking device of Cragun to include the image display time period of van Hoff."

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**van Hoff** teaches at col. 2, lines 27-29, "In the preferred embodiment, the advertising images are displayed at all times a user is logged onto the World Wide Web."

van Hoff teaches at col. 7, lines 10-15, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images".

van Hoff teaches at col. 7, lines 27-43, (without numbers) "The interpreter will display the images in the Ad window providing the appropriate audio accompaniment, until the last image in the Ad list is reached. When the last image is reached, the interpreter will maintain the image displayed in the Ad window for the designated time period, then will terminate the execution of the Ad list application class.

After completing the execution of a given Ad list application class, the interpreter looks to the selection method to identify the next Ad list for display. In one embodiment, the same Ad list may be redisplayed upon reaching the last ad. In an alternative embodiment, a sequence of Ad lists is displayed. This process repeats until a user logs off from the World Wide Web. In an alternative embodiment, the user may turn off the Ad Window display by quitting the execution at any time during the execution process by the interpreter. "

Thus van Hoff teaches displaying advertising images at all times, a user requests the display of a specified image for a specified period of time, or requests the display of a sequence of images or advertisements for specified display times on the lists. When the last image or advertisement is displayed, the list is terminated or the list is redisplayed or the next list is selected, among other alternatives.

If Cragun were to use van Hoff's "single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images" this would take longer than Cragun and his selective disabling the display of images. Thus Cragun has no reason to use van Hoff's slow and difficult to learn procedures for "a specified period of time" or "specified display durations". van Hoff does not need Cragun's browser displayed icon because van Hoff teaches displaying advertising images at all times.

In regards to applicants' claim 28, the proposed combination of Cragun and van Hoff does **not** teach the claim because their inventions are individually complete.

Claim 28 recites the novel physical features of "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Hence Cragun and van Hoof are individually complete references with no reason to use parts from or add or substitute parts to any reference.

**3. The References Teach Away**

The references of Cragun and van Hoff expressly or by implication teach away from the suggested combination.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the advertisement blocking device of Cragun to include the image display time period of van Hoff."

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25

response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**van Hoff** teaches at col. 2, lines 27-29, "In the preferred embodiment, the advertising images are displayed at all times a user is logged onto the World Wide Web."

van Hoff teaches at col. 7, lines 10-15, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images".

van Hoff teaches at col. 7, lines 27-43, (without numbers) "The interpreter will display the images in the Ad window providing the appropriate audio accompaniment, until the last image in the Ad list is reached. When the last image is reached, the interpreter will maintain the image displayed in the Ad window for the designated time period, then will terminate the execution of the Ad list application class.

After completing the execution of a given Ad list application class, the interpreter looks to the selection method to identify the next Ad list for display. In one embodiment, the same Ad list may be redisplayed upon reaching the last ad. In an alternative embodiment, a sequence of Ad lists is displayed. This process repeats until a user logs off from the World Wide Web. In an alternative embodiment, the user may turn off the Ad Window display by quitting the execution at any time during the execution process by the interpreter. "

Thus van Hoff teaches displaying advertising images at all times, a user requests the display of a specified image for a specified period of time, or requests the display of a sequence of images or advertisements for specified display times on the lists. When the last image or advertisement is displayed, the list is terminated or the list is redisplayed or the next list is selected, among other alternatives.

Cragun teaches away from van Hoff and his "single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images". This is because van Hoff's slow

and difficult to learn procedures for "a specified period of time" or "specified display durations" would take longer than Cragun and his selective disabling the display of images.

van Hoff teaches away from Cragun's blocking browser displayed icon because van Hoff displays advertising images at all times.

In addition Cragun teaches away from van Hoff's displaying advertising images at all times because Cragun teaches selectively disabling the display of images with a browser displayed icon. In turn, van Hoff teaches away from Cragun because none of van Hoff's advertisements are blocked with Cragun's browser displayed icon.

In regards to applicants' claim 28, the proposed combination of Cragun and van Hoff does **not** teach the claim because their inventions teach away from the suggested combination.

Claim 28 recites the novel physical features of "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Hence Cragun and van Hoff teach away (expressly or by implication) from the aforementioned combination.

**4. Inoperative Combination**

If Cragun and van Hoff could be combined, the references would produce an inoperative combination.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**van Hoff** teaches at col. 7, lines 10-15, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images".

Thus van Hoff teaches a user requests the display of a specified image for a specified period of time, or requests the display of a sequence of images or advertisements for specified display times.

The combination of Cragun and van Hoff would produce an inoperative combination. This is because the combination cannot perform both the functions of blocking displayed images with an icon, and replacing such images after specified display times with an image or a sequence of images. Furthermore replacing the displayed images of Cragun with van Hoff's image or a sequence of images would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

In regards to applicants' claim 28, the proposed combination of Cragun and van Hoff does **not** teach the claim because they are an inoperative combination.

Claim 28 recites the novel physical features of "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

For these reasons, the combination of Cragun and van Hoff produces inoperative combinations.

**5. Modifications are Necessary for the References to be Combined**

It would be necessary to make modifications, not taught in Cragun and van Hoff in order to combine the references in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the advertisement blocking device of Cragun to include the image display time period of van Hoff."

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25

response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore modifications are necessary for Cragun to be combined with van Hoff in the manner suggested. Cragun needs to add van Hoff's "image display time period" as an option to the other options of block, hide, and configure blocking.

Cragun needs to add a 2nd pop-up dialog if and when the image display time period option is selected to again provide the options of block, hide, and configure blocking. Cragun needs to add the image display time periods to his browser displayed icon, blank icon, and blank area in order to block or hide the selected image.

Cragun does **not** teach these modifications.

In regards to claim 28, the proposed combination of Cragun and van Hoff does **not** teach the claim because modifications are necessary to combine their inventions in the manner suggested.

Claim 28 recites the novel physical features of "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Hence modifications are necessary to combine Cragun and van Hoff, not taught by Cragun, in the manner suggested.

**6. The Novel Physical Features of Claim 28 Produce New and Unexpected Results and Hence are Unobvious and Patentable Over Cragun and van Hoff Under § 103**

The applicant submits that the novel physical features of claim 28 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun and van Hoff, or any combination thereof.

Claim 28 recites "The device of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits, in view of the new ground of rejection, the updated reasons that claim 14, now new claim 28, is unobvious and patentable over Cragun and van Hoff. The reasons also comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 28 are discussed in the following reasons:

**1) Omission of Elements:** Numerous elements of Cragun and van Hoff are omitted in claim 28 because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

The elements of **Cragun** that are omitted in claim 28 are: generated unmodified version documents, generated modified version documents, application manager, control tags, interface dialogs showing menu options block and hide and configure blocking, blocking lists, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icon, blank icon, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, a hotspot function, true determinations, false determinations, a determine selected window function, application-blocking manager, application-blocking list, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-

active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, create parent window function, and generated modified version documents.

The elements of **van Hoff** that are omitted in claim 28 are: an Ad Window Application program, a user selected list of preferred advertising lists, storing a second advertising list data structure, a terminate the execution of the Ad list function, an application launch method, a method embedded within the methods associated with a browser application, a bytecode program verifier, a bytecode program interpreter, a bootstrap class loader, a communications interface, a pointer to a first Ad list, two data pointers associated with two lists, Ad Window object class, Ad List 1 object class, Ad List 2 object class, a plurality of pointers, Ad Window application as a thread, and a redisplaying an Ad list function, among other elements.

Thus claim 28 is simpler than Cragun and van Hoff without loss of capability.

**2) Cost:** Claim 28 is likely to be cheaper to build per se than Cragun and van Hoff because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 and its 2 parts of "said non-advertising illustration" and "a predetermined time" are cheap to build.

The low cost result of claim 28 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ". Thus Cragun likely is many times more costly to build than the 2 parts of claim 28.

Likewise the low cost result of claim 28 is very different than van Hoff because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above subheading of "1) Omission of Elements:". Thus van Hoff likely is many times more costly to build than the 2 parts of claim 28.

**3) Size:** Claim 28 per se is substantially smaller in size than Cragun and van Hoff because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 has the 2 parts of "said non-advertising illustration" and "a predetermined time". This small size of claim 28 is a benefit that is very different than Cragun and van Hoff.

The small size of claim 28 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 28 unnecessary for distribution by shipping.

Cragun is significantly larger in size than claim 28 because his invention has numerous parts, steps and functions that are detailed in 30 drawings with 14 detailed flowcharts. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ".

Likewise van Hoff is significantly larger in size than claim 28 because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above subheading of "1) Omission of Elements:".

The large size of Cragun and van Hoff makes sending their inventions on the internet much slower than claim 28.

Also the large size of Cragun's and van Hoff's applications, especially if they are combined with large web browser software, is typically packaged for distribution by shipping.

Thus the small size of claim 28 has advantages over Cragun and van Hoff.

**4) Ease of Use:** Claim 28 is easier to use than Cragun and van Hoff because the novel physical features of the claim are: "The device of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 requires no action from a person. This advantage is especially important because the claim is a digital innovation that enables a person to use the computer or any other machine more facilely, and this counts a great deal.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28. van Hoff teaches at col. 7, lines 10-20, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images, where the Ad Window application includes standardized procedures for performing routine image, video and audio presentation

tasks that can be invoked by the advertisement items. Other advertisement entries with more customized presentation requirements will include correspondingly more complex applets."
van Hoff teaches previously regarding the Ad Window application program at col. 6, lines 8-22, (without numbers) "The bootstrap class loader creates a local copy of the object class associated with **the user selected** application program, herein the Ad Window application, and prepares the method or methods in that object class for local execution. Specifically, the bootstrap class loader generates an object associated with the Ad Window program's object class. The class loader calls the bytecode program verifier to verify the integrity of all the bytecode programs in the loaded object class (Ad Window object class). If all the methods are successfully verified an object instance of the object class is generated and stored in the object repository.

Thereafter the bytecode interpreter is invoked to execute **the user requested procedure**, which in this case is the methods associated with the Ad Window program."
Claim 28 is very different than van Hoff because his invention requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."
Thus claim 28 has an ease of use result that is very different than Cragun and van Hoff because the claim requires no action from a person.
**5) Ease of Production:** Claim 28 is easier and cheaper to produce than Cragun and van Hoff because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."
Claim 28 and its 2 parts of "said non-advertising illustration" and "a predetermined time" are easier to produce than Cragun and van Hoff.
The ease of production result of claim 28 is very different than Cragun because numerous parts are needed to produce his invention as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading of "1) Omission of Elements:".
In addition Cragun is embedded in large, complex browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."

Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word "**browser**" herein encompasses any application capable of selectively blocking images on a display screen."

Thus Cragun is likely harder and more expensive to produce than the 2 parts of claim 28.

The ease of production result of claim 28 is very different than van Hoff because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above subheading of "1) Omission of Elements:".

In addition van Hoff may be embedded in large, complex web browsers.

van Hoff teaches at col. 7, lines 57-62, (without numbers) "In an alternative embodiment, the Ad Window application is not a separate application, and instead may be embodied as a method **embedded** within the methods associated with the browser application. Accordingly, at the initiation of the browser application, the methods associated with the Ad Window application may be automatically executed."

Thus van Hoff is likely harder and more expensive to produce than the 2 parts of claim 28.

**6) Convenience/Mechanization:** Claim 28 makes using the internet easier and mechanizes a manual operation because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time." Claim 28 requires no action from a person, and this is a great advantage.

The convenience and mechanization result of claim 28 is very different than Cragun and van Hoff.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28.

van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Ease of Use:".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore a user of van Hoff must undergo substantial trial and error, learning, and time to execute a procedure associated with the Ad Window program, to request the display of a specified image for a specified period of time with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images". This is not convenient to a user of van Hoff.

Since claim 28 requires no action, the claim provides a greater convenience and mechanization result than Cragun and van Hoff.

**7) "Sexy" Packaging:** Claim 28 is adaptable to being presented in a "sexy" package because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 and its non-advertising illustration is a packaging, of a digital kind, that can show sex appeal, and this can be a great advantage. For example, the non-advertising illustration shows a tropical getaway theme replete with scantily clad models.

Cragun and van Hoff do **not** teach claim 28 and its "sexy packaging" result.

Instead Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has

previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away.

Instead van Hoff teaches at col. 2, lines 27-29, "In the preferred embodiment, the advertising images are displayed at all times a user is logged onto the World Wide Web."

Thus van Hoff teaches the display of images at all times.

The "sexy" packaging result of claim 28 is very different than Cragun and van Hoff because their inventions display images right away or at all times respectively, without packaging, much less "sexy" packaging.

**8) Operability:** Claim 28 is likely to work readily because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 has the 2 parts of "said non-advertising illustration" and "a predetermined time". The 2 parts of claim 28 does not require significant additional design or technical development to be workable.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28.

Cragun requires numerous parts to operate his invention as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above heading of "1. Omission of Elements:".

van Hoff requires numerous parts to operate his invention. The numerous elements of van Hoff are discussed in the above heading of "1. Omission of Elements:".

Thus operability result of the 2 parts in claim 28 is every different than Cragun and van Hoff because their inventions require significantly more additional design and technical development to be workable.

**9) Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and production techniques. However claim 28 requires a modest or no change in new production facilities, a tremendous advantage because the claim has 2 parts. The novel physical features of

claim 28 are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

The 2 parts of claim 28 are "said non-advertising illustration" and "after a predetermined time."

The production facilities result of claim 28 is very different than Cragun because his invention has a large number of parts, steps, and functions that are detailed in 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above heading of "1. Omission of Elements:".

The modest or no change in production facilities result of claim 28 is very different than van Hoff because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above heading of "1. Omission of Elements:".

Thus the numerous elements of Cragun and van Hoff results in a much larger change in production facilities and techniques than claim 28

**10) Minimal Learning Required:** Consumers will not have to undergo substantial learning in order to use claim 28. Claim 28 makes a task automatic and thus has a strong advantage because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 requires no action and learning from a person.

The minimal or no learning result of claim 28 is very different than Cragun and van Hoff.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28.

Nevertheless Cragun's invention is so complex that it takes 30 drawings with 14 flowcharts to comprehend its numerous parts, steps and functions. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements:".

Thus a user of Cragun will need significant time, trial and error, and learning to use his invention.

van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Ease of Use:".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore a user of van Hoff needs substantial learning to request "the display of a specified image for a specified period of time" with "a single line procedure call", and to request "calling for the display of a sequence of images with specified display durations for each of the images".

In addition van Hoff's invention has numerous parts. The numerous elements of van Hoff are discussed in the above subheading of "1) Omission of Elements:".

Thus a user of van Hoff will need significant time, trial and error, and learning to use his invention.

Since claim 28 requires no action, the claim has a minimal or no learning result that is very different than Cragun and van Hoff.

**11) Unexpected Results:** The results achieved by claim 28 are new, unexpected, superior, disproportionate, unsuggested, unusual, and surprising because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 requires no action from a person, and this unexpected result is very different than Cragun and van Hoff.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28. van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Ease of Use:".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore since claim 28 requires no action from a person, this is an unexpected result than van Hoff because his invention requires at least 2 user actions to implement his "specified period of time" and "specified display durations".

**12) Unsuggested Modification:** Cragun and van Hoff lack any suggestion that they should be modified in a manner required to meet claim 28 because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 requires no action from a person because the claim recites "a predetermined time".

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28.

van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Ease of Use:".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore since claim 28 requires no action from a person, van Hoff is an unsuggested modification of the claim because his invention requires at least 2 user actions to implement his "specified period of time" and "specified display durations".

Hence Cragun and van Hoff clearly lack any suggestion that their inventions should be modified in a manner required to meet claim 28.

**13) Contrarian Invention:** Claim 28 is contrary to the teachings of Cragun and van Hoff because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28.

van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Ease of Use:".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore since claim 28 requires no action from a person, this goes against the grain of what van Hoff teaches because his invention requires at least 2 user actions to request his "specified period of time" and "specified display durations".

Thus claim 28 has a contrarian result that is very different than Cragun and van Hoff.

**14) New Principle of Operation:** Claim 28 utilizes a new principle of operation because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Claim 28 requires no action from a person and this is an unexpected new principle of operation.

Cragun and van Hoff do **not** teach this new principle of operation of claim 28.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28.

Instead van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Ease of Use:".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore since claim 28 requires no action from a person, this is very different than van Hoff because his invention requires at least 2 user actions to request his "specified period of time" and "specified display durations".

The applicant has blazed a trail, rather than followed one.

**15) No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 28, including its differences over Cragun and van Hoff, would have been obvious because the novel physical features of the claim are: "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Cragun and van Hoff clearly do **not** teach claim 28 because the claim requires no action from a person.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time" of claim 14, now claim 28. van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Ease of Use:".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore since claim 28 requires no action from a person, this is very different than van Hoff because his invention requires at least 2 user actions to request his "specified period of time" and "specified display durations".

Therefore there is no convincing reason claim 28 is obvious on Cragun on Reber.

**From the reasons discussed**, the applicant submits that new claim 28 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun and van Hoff under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 28 is a fortiori patentable and should also be allowed.

**7. A Multiplicity of Steps is Required for the References to be Combined**

The combination suggested of Cragun and van Hoff requires a series of separate, awkward combinative steps that are too involved to be considered obvious.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the advertisement blocking device of Cragun to include the image display time period of van Hoff."

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore a series of steps are required for Cragun to be combined with van Hoff in the manner suggested. Cragun needs to add van Hoff's "image display time period" as an option to the other options of block, hide, and configure blocking.

Further steps are needed for Cragun to add a 2nd pop-up dialog if and when the image display time period option is selected to again provide the options of block, hide, and configure blocking. Cragun needs to add the image display time periods to his browser displayed icon, blank icon, and blank area in order to block or hide the selected image.

In regards to claim 28, the suggested combination of Cragun and Serena does **not** teach the claim because the combination requires a series of separate and awkward combinative steps.

Claim 28 recites the novel physical features of "The method of Claim 24, further including said non-advertising illustration to remove itself after a predetermined time."

Hence the combination of Cragun and van Hoff in the manner suggested requires a multiplicity of separate, awkward combinative steps that are too involved to be considered obvious.

**From the combination reasons discussed**, the applicant submits that new claim 28 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and van Hoff under 35 U.S.C § 103, and solicits reconsideration. Accordingly the applicant submits that new dependent claim 28 is a fortiori patentable and should also be allowed.

**Claim 18 is Rejected on Cragun and van Hoff Under § 103**

As mentioned the O.A. states "Claims 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in view of van Hoff et al (US Patent 5,959,623), hereinafter van Hoff." The O.A. further states "Regarding claim 18, Cragun teaches a method as in claim 1. However, Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time.

van Hoff teaches a method for displaying a selected set of advertisements similar to that of Cragun. Furthermore, van Hoff teaches the display of specific images for a predetermined time period, at col. 7, lines 10-20.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the

advertisement blocking device of Cragun to include the image display time period of van Hoff. One would have been motivated to make such a combination for the advantage of providing a system that allows the consumer to control the timing and content of advertisement information. See van Hoff, col. 1, lines 64-67."

**A Review of the References of Cragun and van Hoff:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

van Hoff is discussed in the above heading "A Review of the Reference of van Hoff:".

**Claim 18, Now New Dependent Claim 23, Is A Fortiori Patentable Over Cragun and van Hoff**

Claim 18, now new dependent claim 23, incorporates all the subject matter of independent claim 1 and adds additional subject matter which makes the claim a fortiori and independently patentable over Cragun and van Hoff, or any combination thereof.

Dependent claim 18 is amended to completely and correctly correspond in language with independent claim 1.

Claim 18 is canceled and is now new claim 23 which recites:

"The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

New claim 23 amends canceled claim 18 by deleting "internet advertising" before "of Claim" and replacing it with "first means" to use the exact title of referred claim 1 and to make claim 23 clear and precise under § 112, second paragraph.

The applicant submits that new claim 23 amends canceled claim 18 to distinctly claim the subject matter, and to make the claim clear and understandable. No new matter has been added and the added subject matter is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 23 under 35 U.S.C. § 112.

**The Rejection of Claim 18, Now New Claim 23, on the Combination of Cragun and van Hoff Overcome Under § 103**

The applicant respectfully disagrees that "Cragun teaches a method as in claim 1." The reasons for claim 1 are discussed in the above headings of "The Rejection of Independent Claim 1 on

Cragun Overcome Under § 102" and "Claim 1 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

Claim 18 is canceled and is now new claim 23.

Since new dependent claim 23 incorporates all the limitations of independent claim 1, claim 23 is patentable for the same reasons given with respect to claim 1. Claim 23 is even more patentable because it adds the additional elements of "further including said internet advertising that is **revealed** after a predetermined time."

The applicant respectfully disagrees that claim 23 is unpatentable due to the combination of Cragun and van Hoff.

As mentioned claim 18 is canceled and is now new dependent claim 23.

The applicant requests reconsideration of this rejection, for the following reasons:

1. Intended functions destroyed.
2. References are individually complete.
3. References teach away.
4. Inoperative combination.
5. Modifications are necessary for the references to be combined.
6. The novel physical features of claim 23 produce new and unexpected results and hence are unobvious and patentable over Cragun and van Hoff under § 103.
7. A multiplicity of steps is required for the references to be combined.

**1. Intended Functions Destroyed**

Cragun and van Hoff can't be legally combined since doing so will destroy their intended functions.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the

description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**van Hoff** teaches at col. 2, lines 27-29, "In the preferred embodiment, the advertising images are displayed at all times a user is logged onto the World Wide Web."

van Hoff teaches at col. 7, lines 10-15, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images".

Thus van Hoff teaches advertising images are displayed at all times, a user requests the display of a specified image for a specified period of time, or requests the display of a sequence of images or advertisements for specified display times.

The combination of Cragun and van Hoff would destroy their intended functions. Such a combination cannot perform both Cragun's functions of blocking displayed images with an icon, and van Hoff's replacing such images after specified display times with an image or a sequence of images. Replacing the displayed images of Cragun with van Hoff's image or a sequence of images would destroy the intended function of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

van Hoff's intended function of displaying advertising images at all times is destroyed if combined with Cragun. This is because Cragun teaches the selective disabling the display of images with a blocking browser displayed icon.

In regards to applicants' claim 23, the proposed combination of Cragun and van Hoff does **not** teach the claim because their intended functions are destroyed if combined.

Claim 23 recites the novel physical features of "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Hence the intended functions of Cragun and van Hoff are destroyed if combined.

**2. References are Individually Complete**

Both Cragun and van Hoff are complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to any reference.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the advertisement blocking device of Cragun to include the image display time period of van Hoff."

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**van Hoff** teaches at col. 2, lines 27-29, "In the preferred embodiment, the advertising images are displayed at all times a user is logged onto the World Wide Web."

van Hoff teaches at col. 7, lines 10-15, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images".

van Hoff teaches at col. 7, lines 27-43, (without numbers) "The interpreter will display the images in the Ad window providing the appropriate audio accompaniment, until the last image in the Ad list is reached. When the last image is reached, the interpreter will maintain the image displayed in the Ad window for the designated time period, then will terminate the execution of the Ad list application class.

After completing the execution of a given Ad list application class, the interpreter looks to the selection method to identify the next Ad list for display. In one embodiment, the same Ad list may be redisplayed upon reaching the last ad. In an alternative embodiment, a sequence of Ad lists is displayed. This process repeats until a user logs off from the World Wide Web. In an alternative embodiment, the user may turn off the Ad Window display by quitting the execution at any time during the execution process by the interpreter. "

Thus van Hoff teaches displaying advertising images at all times, a user requests the display of a specified image for a specified period of time, or requests the display of a sequence of images or advertisements for specified display times on the lists. When the last image or advertisement is displayed, the list is terminated or the list is redisplayed or the next list is selected, among other alternatives.

If Cragun were to use van Hoff's "single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images" this would take longer than Cragun and his selective disabling the display of images. Thus Cragun has no reason to use van Hoff's slow and difficult to learn procedures for "a specified period of time" or "specified display durations".

van Hoff does not need Cragun's browser displayed icon because van Hoff teaches displaying advertising images at all times.

In regards to applicants' claim 23, the proposed combination of Cragun and van Hoff does **not** teach the claim because their inventions are individually complete.

Claim 23 recites the novel physical features of "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Hence Cragun and van Hoof are individually complete references with no reason to use parts from or add or substitute parts to any reference.

**3. The References Teach Away**

The references of Cragun and van Hoff expressly or by implication teach away from the suggested combination.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the advertisement blocking device of Cragun to include the image display time period of van Hoff."

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25

response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**van Hoff** teaches at col. 2, lines 27-29, "In the preferred embodiment, the advertising images are displayed at all times a user is logged onto the World Wide Web."

van Hoff teaches at col. 7, lines 10-15, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images".

van Hoff teaches at col. 7, lines 27-43, (without numbers) "The interpreter will display the images in the Ad window providing the appropriate audio accompaniment, until the last image in the Ad list is reached. When the last image is reached, the interpreter will maintain the image displayed in the Ad window for the designated time period, then will terminate the execution of the Ad list application class.

After completing the execution of a given Ad list application class, the interpreter looks to the selection method to identify the next Ad list for display. In one embodiment, the same Ad list may be redisplayed upon reaching the last ad. In an alternative embodiment, a sequence of Ad lists is displayed. This process repeats until a user logs off from the World Wide Web. In an alternative embodiment, the user may turn off the Ad Window display by quitting the execution at any time during the execution process by the interpreter. "

Thus van Hoff teaches displaying advertising images at all times, a user requests the display of a specified image for a specified period of time, or requests the display of a sequence of images or advertisements for specified display times on the lists. When the last image or advertisement is displayed, the list is terminated or the list is redisplayed or the next list is selected, among other alternatives.

Cragun teaches away from van Hoff and his "single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images". This is because van Hoff's slow

and difficult to learn procedures for "a specified period of time" or "specified display durations" would take longer than Cragun and his selective disabling the display of images.

van Hoff teaches away from Cragun's blocking browser displayed icon because van Hoff displays advertising images at all times.

In addition Cragun teaches away from van Hoff's displaying advertising images at all times because Cragun teaches selectively disabling the display of images with a browser displayed icon. In turn, van Hoff teaches away from Cragun because none of van Hoff's advertisements are blocked with Cragun's browser displayed icon.

In regards to applicants' claim 23, the proposed combination of Cragun and van Hoff does **not** teach the claim because their inventions teach away from the suggested combination.

Claim 23 recites the novel physical features of "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Hence Cragun and van Hoff teach away (expressly or by implication) from the aforementioned combination.

**4. Inoperative Combination**

If Cragun and van Hoff could be combined, the references would produce an inoperative combination.

**Cragun** teaches at col. 2, lines 23-25, "It is still another object of the present invention to provide to a method and system for selectively disabling the display of images."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Thus Cragun teaches selectively disabling the display of images with a browser displayed icon.

**van Hoff** teaches at col. 7, lines 10-15, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images".

Thus van Hoff teaches a user requests the display of a specified image for a specified period of time, or requests the display of a sequence of images or advertisements for specified display times.

The combination of Cragun and van Hoff would produce an inoperative combination. This is because the combination cannot perform both the functions of blocking displayed images with an icon, and replacing such images after specified display times with an image or a sequence of images. Furthermore replacing the displayed images of Cragun with van Hoff's image or a sequence of images would defeat the purpose of Cragun's invention. This is because Cragun provides "a method and system for selectively disabling the display of images."

In regards to applicants' claim 23, the proposed combination of Cragun and van Hoff does **not** teach the claim because they are an inoperative combination.

Claim 23 recites the novel physical features of "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

For these reasons, the combination of Cragun and van Hoff produces inoperative combinations.

**5. Modifications are Necessary for the References to be Combined**

It would be necessary to make modifications, not taught in Cragun and van Hoff in order to combine the references in the manner suggested.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify the advertisement blocking device of Cragun to include the image display time period of van Hoff."

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25

response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore modifications are necessary for Cragun to be combined with van Hoff in the manner suggested. Cragun needs to add van Hoff's "image display time period" as an option to the other options of block, hide, and configure blocking.

Cragun needs to add a 2nd pop-up dialog if and when the image display time period option is selected to again provide the options of block, hide, and configure blocking. Cragun needs to add the image display time periods to his browser displayed icon, blank icon, and blank area in order to block or hide the selected image.

Cragun does **not** teach these modifications.

In regards to claim 23, the proposed combination of Cragun and van Hoff does **not** teach the claim because modifications are necessary to combine their inventions in the manner suggested. Claim 23 recites the novel physical features of "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Hence modifications are necessary to combine Cragun and van Hoff, not taught by Cragun, in the manner suggested.

**6. The Novel Physical Features of New Claim 23 Produce New and Unexpected Results and Hence are Unobvious and Patentable Over Cragun and van Hoff Under § 103**

The applicant submits that the novel physical features of claim 23 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun and van Hoff, or any combination thereof.

Claim 23 recites "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

With respect to the statements in the "Response to Arguments" section of this O.A., the applicant submits, in view of the new ground of rejection, the updated reasons that claim 18, now new claim 23, is unobvious and patentable over Cragun and van Hoff. The reasons also comply with 37 CFR 1.111(b).

The new and unexpected results that flow from the novel physical features of claim 23 are discussed in the following reasons:

**1) Omission of Elements:** Numerous elements of Cragun and van Hoff are omitted in claim 23 because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

The elements of **Cragun** that are omitted in claim 23 are: generated unmodified version documents, generated modified version documents, application manager, control tags, interface dialogs showing menu options block and hide and configure blocking, blocking lists, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icon, blank icon, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, a hotspot function, true determinations, false determinations, a determine selected window function, application-blocking manager, application-blocking list, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-

active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, create parent window function, and generated modified version documents, among other elements.

The elements of **van Hoff** that are omitted in claim 23 are: an Ad Window Application program, a user selected list of preferred advertising lists, storing a second advertising list data structure, a terminate the execution of the Ad list function, an application launch method, a method embedded within the methods associated with a browser application, a bytecode program verifier, a bytecode program interpreter, a bootstrap class loader, a communications interface, a pointer to a first Ad list, two data pointers associated with two lists, Ad Window object class, Ad List 1 object class, Ad List 2 object class, a plurality of pointers, Ad Window application as a thread, and a redisplaying an Ad list function, among other elements.

Thus claim 23 is simpler than Cragun and van Hoff without loss of capability.

**2) Cost:** Claim 23 is likely to be cheaper to build per se than Cragun and van Hoff and is free to use because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 and its 2 parts of "said internet advertising" and "a predetermined time" are cheap to build.

The low cost result of claim 23 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ". Thus Cragun likely is many times more costly to build than the 2 parts of claim 23.

Likewise the low cost result of claim 23 is very different than van Hoff because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above subheading of "1) Omission of Elements:". Thus van Hoff likely is many times more costly to build than the 2 parts of claim 23.

Claim 23 is free to use for the consumer as is customary of advertising in general.

The free cost to use result of claim 23 is very different than Cragun because his invention is embedded in browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."

Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word "**browser**" herein encompasses any application capable of selectively blocking images on a display screen."

Thus Cragun's invention, as a browser, typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Cragun for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 23.

Likewise the free cost to use of claim 23 is very different than van Hoff because his invention is a large software application that typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of van Hoff for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 23.

**3) Size:** Claim 23 per se is substantially smaller in size than Cragun and van Hoff because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 has the 2 parts of "said internet advertising" and "a predetermined time". This small size of claim 23 is a benefit that is very different than Cragun and van Hoff.

The small size of claim 23 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 23 unnecessary for distribution by shipping.

Cragun is significantly larger in size than claim 23 because his invention has numerous parts, steps and functions that are detailed in 30 drawings with 14 detailed flowcharts. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements: ".

Likewise van Hoff is significantly larger in size than claim 23 because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above subheading of "1) Omission of Elements:".

The large size of Cragun and van Hoff makes sending their inventions on the internet much slower than claim 23.

Also the large size of Cragun's and van Hoff's applications, especially if they are combined with large web browser software, is typically packaged for distribution by shipping.

Thus the small size of claim 23 has advantages over Cragun and van Hoff.

**4) Novelty:** Claim 23 has novelty over Cragun and van Hoff because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time." Merely making a claim different may not appear to be an advantage per se, but it's usually a great advantage.

Claim 23 requires no action from a person because it recites "after a predetermined time."

The novelty of claim 23 is very different than Cragun, van Hoff and all previously known counterparts as of the applicant's filing date.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

Nevertheless Cragun still does **not** teach claim 23 and it's "a predetermined time".

Likewise van Hoff does **not** teach claim 23 because the claim requires no action from a person. Instead van Hoff teaches at col. 7, lines 10-20, "It should be understood that the applets in the advertisement entries may be as simple as a single line procedure call requesting the display of a specified image for a specified period of time, or calling for the display of a sequence of images with specified display durations for each of the images, where the Ad Window application includes standardized procedures for performing routine image, video and audio presentation tasks that can be invoked by the advertisement items. Other advertisement entries with more customized presentation requirements will include correspondingly more complex applets."

van Hoff teaches previously regarding the Ad Window application program at col. 6, lines 8-22,

(without numbers) "The bootstrap class loader creates a local copy of the object class associated with **the user selected** application program, herein the Ad Window application, and prepares the method or methods in that object class for local execution. Specifically, the bootstrap class loader generates an object associated with the Ad Window program's object class. The class loader calls the bytecode program verifier to verify the integrity of all the bytecode programs in the loaded object class (Ad Window object class). If all the methods are successfully verified an object instance of the object class is generated and stored in the object repository.

Thereafter the bytecode interpreter is invoked to execute **the user requested procedure**, which in this case is the methods associated with the Ad Window program."

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore since claim 23 requires no action from a person, this is novel over van Hoff because his invention requires at least 2 user actions to implement his "specified period of time" and "specified display durations".

Hence claim 23 has a novelty result over Cragun and van Hoff.

**5) Ease of Use:** Claim 23 is easier to use than Cragun and van Hoff because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 requires no action from a person. This advantage is especially important because claim 23 is a digital innovation that enables a person to use the computer or any other machine more facilely, and this counts a great deal.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Novelty: ".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore since claim 23 requires no action from a person, this is very different than van Hoff because his invention requires at least 2 user actions to implement his "specified period of time" and "specified display durations".

Hence claim 23 has an ease of use result that is very different than Cragun and van Hoff because the claim requires no action from a person.

**6) Ease of Production:** Claim 23 is easier and cheaper to produce than Cragun and van Hoff because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

Nevertheless claim 23 and its 2 parts of "said internet advertising" and "a predetermined time" is easier and cheaper to produce than Cragun and van Hoff.

The ease of production result of claim 23 is very different than Cragun because numerous parts are needed to produce his invention as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above heading of "1. Omission of Elements:".

In addition Cragun's invention is embedded in large, complex browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images,

and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."

Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word **"browser"** herein encompasses any application capable of selectively blocking images on a display screen."

Thus Cragun is likely harder and more expensive to produce than the 2 parts of claim 23.

The ease of production result of claim 23 is very different than van Hoff because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above heading of "1. Omission of Elements:".

In addition van Hoff's invention can be embedded in large, complex web browsers.

van Hoff teaches at col. 7, lines 57-62, (without numbers) "In an alternative embodiment, the Ad Window application is not a separate application, and instead may be embodied as a method **embedded** within the methods associated with the browser application. Accordingly, at the initiation of the browser application, the methods associated with the Ad Window application may be automatically executed."

Thus van Hoff is likely harder and more expensive to produce than the 2 parts of claim 23.

**7) Convenience/Mechanization:** Claim 23 makes using the internet easier and mechanizes a manual operation because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 requires no action from a person, and this is a great advantage.

The convenience and mechanization benefits of claim 23 are very different than Cragun and van Hoff.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Novelty: ".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Claim 23 is very different than van Hoff because his invention requires at least 2 user actions to implement his "specified period of time" and "specified display durations".

In addition a user of van Hoff must undergo substantial trial and error, learning, and time to execute a procedure associated with the Ad Window program, to request the display of a specified image for a specified period of time with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images". This is not convenient for a user of van Hoff.

Since claim 23 requires no action, the claim provides a greater convenience, and mechanization result than Cragun and van Hoff.

**8) Operability:** Claim 23 is likely to work readily because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 has the 2 parts of "said internet advertising" and "a predetermined time". The 2 parts of claim 23 does not require significant additional design or technical development to be workable.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

Nevertheless Cragun requires numerous parts to operate his invention as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above heading of "1. Omission of Elements:".

van Hoff requires numerous parts to operate his invention. The numerous elements of van Hoff are discussed in the above heading of "1. Omission of Elements:".

Thus operability result of the 2 parts in claim 23 is very different than Cragun and van Hoff because their inventions require significantly more additional design and technical development to be workable.

**9) Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and production techniques. However claim 23 requires a modest or no change in new production facilities, a tremendous advantage because the claim has 2 parts. The novel physical features of claim 23 are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

The 2 parts of claim 23 are "said internet advertising" and "after a predetermined time."

The modest or no change in production facilities result of claim 23 is very different than Cragun because his invention has a large number of parts, steps, and functions that are detailed in 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above heading of "1. Omission of Elements:".

The modest or no change in production facilities result of claim 23 is very different than van Hoff because his invention has numerous parts. The numerous elements of van Hoff are discussed in the above heading of "1. Omission of Elements:".

Thus the numerous elements of Cragun and van Hoff result in a much larger change in production facilities and techniques than claim 23.

**10) Minimal Learning Required:** Consumers will not have to undergo substantial learning in order to use claim 23. Claim 23 makes a task automatic and thus has a strong advantage because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 requires no action and learning from a person.

The minimal or no learning result of claim 23 is very different than Cragun and van Hoff.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

Nevertheless Cragun's invention is so complex that it takes 30 drawings with 14 flowcharts to comprehend its numerous parts, steps and functions. The numerous elements of Cragun are discussed in the above subheading "1) Omission of Elements:".

Thus a user of Cragun will need significant time, trial and error, and learning to use his invention.

van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Novelty: ".

Thus a user of van Hoff needs substantial learning to request "the display of a specified image for a specified period of time" with "a single line procedure call", and to request "calling for the display of a sequence of images with specified display durations for each of the images".

In addition van Hoff's invention has numerous parts. The numerous elements of van Hoff are discussed in the above subheading of "1) Omission of Elements:".

Thus a user of van Hoff will need significant time, trial and error, and learning to use his invention.

Since claim 23 requires no action, the claim has a minimal or no learning result that is very different than Cragun and van Hoff.

**11) Unexpected Results:** The results achieved by claim 23 are new, unexpected, superior, disproportionate, unsuggested, unusual, and surprising because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 requires no action from a person, and this unexpected result is very different than Cragun and van Hoff because the claim recites "a predetermined time".

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

Nevertheless Cragun still does **not** teach claim 23 and it's "a predetermined time".
Likewise van Hoff does **not** teach claim 23 because the claim requires no action from a person.
Instead van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Novelty: ".
Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."
Therefore claim 23 has an unexpected result than van Hoff because his invention requires at least 2 user actions to implement his "specified period of time" and "specified display durations".
Hence claim 23 has unexpected results over Cragun and van Hoff.

**12) Unsuggested Modification:** Cragun and van Hoff lack any suggestion that they should be modified in a manner required to meet claim 23 because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."
Claim 23 requires no action from a person because the claim recites "a predetermined time".
As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."
The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.
Nevertheless Cragun still does **not** teach claim 23 and it's "a predetermined time".
van Hoff does **not** teach claim 23 because the claim requires no action from a person.
Instead van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Novelty: ".
Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his

"specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore van Hoff is an unsuggested modification of claim 23 because his invention requires at least 2 user actions to implement his "specified period of time" and "specified display durations".

Hence Cragun and van Hoff clearly lack any suggestion that their inventions should be modified in a manner required to meet claim 23.

**13) Contrarian Invention:** Claim 23 is contrary to the teachings of Cragun and van Hoff because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 and its "a predetermined time" is contrary to Cragun and van Hoff because the claim requires no action from a person.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

Nevertheless Cragun still does **not** teach claim 23 and it's "a predetermined time".

van Hoff does **not** teach claim 23 because the claim requires no action from a person.

Instead van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Novelty: ".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore claim 23 goes against the grain of what van Hoff teaches because his invention requires at least 2 user actions to request his "specified period of time" and "specified display durations".

Thus claim 23 goes against the grain of what Cragun and van Hoff teach.

Therefore claim 23 has a contrarian result that is very different than Cragun and van Hoff.

**14) New Principle of Operation:** Claim 23 utilizes new principles of operation because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Claim 23 and it's "a predetermined time" requires no action from a person and this is a new principle of operation.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

Nevertheless Cragun still does **not** teach claim 23 and it's "a predetermined time".

van Hoff does **not** teach claim 23 because the claim requires no action from a person.

van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Novelty: ".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore claim 23 is a new principle of operation that is very different than van Hoff. This is because van Hoff requires at least 2 user actions to request his "specified period of time" and "specified display durations".

Therefore Cragun and van Hoff do **not** teach the new principle of operation of claim 23.

The applicant has blazed a trail, rather than followed one.

**15) No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 23, including its differences over Cragun and van Hoff, would have been obvious because the novel physical features of the claim are: "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Cragun and van Hoff clearly do **not** teach claim 23 because its "a predetermined time" requires no action from a person, and this is an advantage.

As the O.A. states, "Cragun fails to explicitly teach such including said non-advertising illustration of said device to remove itself after a predetermined time."

The applicant respectfully points out that the O.A. statement is in regards to claim 14, now claim 28.

Nevertheless Cragun still does **not** teach claim 23 and it's "a predetermined time".

van Hoff does **not** teach claim 23 because the claim requires no action from a person.

Instead van Hoff teaches a specified display time and specified display durations at col. 7, lines 10-20, and teaches user actions regarding the Ad Window application program at col. 6, lines 8-22, as discussed in the above subheading "4) Novelty: ".

Thus van Hoff requires a minimum of a user to select the Ad Window application, the execution of a user requested procedure associated with the Ad Window program, prior to requesting his "specified period of time" with "a single line procedure call", and to request "the display of a sequence of images with specified display durations for each of the images."

Therefore claim 23 is very different than van Hoff because his invention requires at least 2 user actions to request his "specified period of time" and "specified display durations".

Therefore there is no convincing reason claim 23 is obvious on Cragun on Reber.

**From the reasons discussed**, the applicant submits that new claim 23 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun and van Hoff under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 23 is a fortiori patentable and should also be allowed.

**7. A Multiplicity of Steps is Required for the References to be Combined**

The combination suggested of Cragun and van Hoff requires a series of separate, awkward combinative steps that are too involved to be considered obvious.

The O.A. states "Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Cragun and van Hoff before him at the time the invention was made to modify

the advertisement blocking device of Cragun to include the image display time period of van Hoff."

**Cragun** teaches at col. 10, lines 17-24, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9.

Menu-option configure-blocking allows the user to control the configuration of the blocking function."

Cragun teaches at col. 11, lines 43-49, (without numbers) "The user previously selected image with pointer and selected block option, as shown in FIG. 7a. Referring again to FIG. 7c, in 25 response to the user's request, **browser displayed icon**, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 11, lines 50-58, (without numbers) "FIG. 7d illustrates a pictorial representation of a display screen after hiding an image, according to the preferred embodiment. The user previously selected image with pointer and selected hide option, as shown in FIG. 7a above. Referring again to FIG. 7d, in response to the user's request, browser has not displayed image, so that **area** in FIG. 7d where image had been displayed in FIG. 7a is **blank** as further described below under the description for FIGS. 9a, 10, and 12."

Cragun teaches at col. 15, lines 57-61, (without numbers) "If the determination at block yields "block", then browser replaces the entire next-image-URL in the downloaded copy of document with an image tag that points to a file that contains **blank icon**, as previously described under the description for FIG. 7c."

Thus Cragun teaches a user selects an image, the display of a pop-up dialog, the user selects block, hide, or configure blocking options, The result is a browser displayed icon, a blank icon, or a blank area to block or hide the selected image.

Therefore a series of steps are required for Cragun to be combined with van Hoff in the manner suggested. Cragun needs to add van Hoff's "image display time period" as an option to the other options of block, hide, and configure blocking.

Further steps are needed for Cragun to add a 2nd pop-up dialog if and when the image display time period option is selected to again provide the options of block, hide, and configure blocking. Cragun needs to add the image display time periods to his browser displayed icon, blank icon, and blank area in order to block or hide the selected image.

In regards to claim 23, the suggested combination of Cragun and Serena does **not** teach the claim because the combination requires a series of separate and awkward combinative steps.

Claim 23 recites the novel physical features of "The first means of Claim 1, further including said internet advertising that is **revealed** after a predetermined time."

Hence the combination of Cragun and van Hoff in the manner suggested requires a multiplicity of separate, awkward combinative steps that are too involved to be considered obvious.

**From the combination reasons discussed**, the applicant submits that new claim 23 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and van Hoff under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 23 is a fortiori patentable and should also be allowed.

**Claims 15 and 19 are Rejected on Cragun, Reber, Serena, and van Hoff**

**Under 35 U.S.C. 103**

The O.A. states "Claims 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun, in view of Reber, Serena, and van Hoff.

Claim 15 is in canceled status.

Claim 19 is in canceled status.

**Remarks Re: O.A. "Response to Arguments"**

The applicant thanks the Examiner for the many insights from the "Response to Arguments".

**1.** The O.A. states "Applicant's arguments with respect to claims 7, 10, and 12-19 have been considered but are moot in view of the new ground(s) of rejection."

The rejection of claims 7 and 10 under § 112 is discussed in the above heading of "The Rejection of Claims 7 and 10 Under § 112 Overcome".

**2.** The applicant, in view of the new grounds of rejection, has submitted updated arguments for claims 7, 10, and 12-19 with respect to the new references cited in this amendement.

**Claim 7** is rejected on the combination of Cragun with the new reference of Reber. Claim 7 is now new claim 20 which is discussed in the above headings of "Claim 7, Now New Dependent Claim 20, Is A Fortiori Patentable Over Cragun and Reber" and "The Rejection of Claim 7, Now New Claim 20, on the Combination of Cragun and Reber Overcome Under § 103".

**Claim 10** is rejected on the combination of Cragun with the new reference of Reber. Claim 10 is now new claim 25 which is discussed in the above headings of "Claim 10, Now New Dependent Claim 25, Is A Fortiori Patentable Over Cragun and Reber" and "The Rejection of Claim 10, Now New Claim 25, on the Combination of Cragun and Reber Overcome Under § 103".

**Claim 12** is rejected on the combination of Cragun with the new reference of Serena. Claim 12 is now new claim 26 which is discussed in the above headings of "Claim 12, Now New Dependent Claim 26, Is A Fortiori Patentable Over Cragun and Serena" and "The Rejection of Claim 12, Now New Claim 26, on the Combination of Cragun and Serena Overcome Under § 103".

**Claim 13** is rejected on the combination of Cragun with the new reference of Serena. Claim 13 is now new claim 27 which is discussed in the above headings of "Claim 13, Now New Dependent Claim 27, Is A Fortiori Patentable Over Cragun and Serena" and "The Rejection of Claim 13, Now New Claim 27, on the Combination of Cragun and Serena Overcome Under § 103".

**Claim 16** is rejected on the combination of Cragun with the new reference of Serena. Claim 16 is now new claim 21 which is discussed in the above headings of "Claim 16, Now New Dependent Claim 21, Is A Fortiori Patentable Over Cragun and Serena" and "The Rejection of Claim 16, Now New Claim 21, on the Combination of Cragun and Serena Overcome Under § 103".

**Claim 17** is rejected on the combination of Cragun with the new reference of Serena. Claim 17 is now new claim 22 which is discussed in the above headings of "Claim 17, Now New Dependent Claim 22, Is A Fortiori Patentable Over Cragun and Serena" and "The Rejection of Claim 17, Now New Claim 22, on the Combination of Cragun and Serena Overcome Under § 103".

**Claim 14** is rejected on the combination of Cragun with the new reference of van Hoff. Claim 14 is now new claim 28 which is discussed in the above headings of "Claim 14, Now New Dependent Claim 28, Is A Fortiori Patentable Over Cragun and van Hoff" and "The Rejection of Claim 14, Now New Claim 28, on the Combination of Cragun and van Hoff Overcome Under § 103".

**Claim 18** is rejected on the combination of Cragun with the new reference of van Hoff. Claim 18 is now new claim 23 which is discussed in the above headings of "Claim 18, Now New Dependent Claim 23, Is A Fortiori Patentable Over Cragun and van Hoff" and "The Rejection of Claim 18, Now New Claim 23, on the Combination of Cragun and van Hoff Overcome Under § 103".

**Claim 15** is rejected on the combination of Cragun with the new references of Reber, Serena, and van Hoff. Claim 15 is in canceled status as discussed in the above heading of "Claims 15 and 19 are Rejected on Cragun, Reber, Serena, and van Hoff Under 35 U.S.C. 103".

**Claim 19** is rejected on the combination of Cragun with the new references of Reber, Serena, and van Hoff. Claim 19 is in canceled status as discussed in the above heading of "Claims 15 and 19 are Rejected on Cragun, Reber, Serena, and van Hoff Under 35 U.S.C. 103".

**3.** The O.A. states "Applicant's further arguments filed 30 November 2009 have been fully considered but they are not persuasive."

The rejection of claims 1, 8, 9, and 11 are briefly discussed in the above heading of "Claims 1, 8, 9 and 11 are Rejected on Cragun Under 35 U.S.C. 102".

The applicant has submitted improved arguments for claims 1 and 9 in this amendmen. The applicant has canceled claims 8 and 11.

**Claim 1** is discussed in the above headings of "The Rejection of Independent Claim 1 on Cragun Overcome Under § 102" and "Claim 1 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

**Claim 9** is now new claim 24, which is discussed in the above headings of "Claim 9 is Amended, and Is Now New Independent Claim 24 Under § 112" and "The Rejection of Claim 9, Now New Independent Claim 24, on Cragun Overcome Under § 102" and "Claim 24 Produces

New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

**4.** The O.A. states "With respect to Applicant's arguments of claim 1, on pages 14-21 of the remarks, the examiner respectfully disagrees. As to argument (1), the examiner contends that Applicant's disclosure of prior art internet advertisements is sufficient to link the image-blocking of Cragun to the claimed "internet advertising". Furthermore, irrespective of the quotation of Applicant's specification, Cragun specifically teaches blocking internet advertising, as disclosed above."

The applicant disagrees with this response. The applicant respectfully point out that page 2 of the specification is not in regards to claim 1 at all. Page 2 describes the "Background--Description of Prior Art" part of the applicant's specification, and is not a description of claim 1. Page 2 of the applicant's specification does not quote "most internet advertisements are sent to the user as images", and is not quoted anywhere else in the specification.

The sentence, "most internet advertisements come in the form of buttons or banners of various sizes with their messages exhibited by default" refers to most internet advertisements "come in the form of buttons or banners of various sizes". This sentence does not refer to most internet advertisements "are sent to the user as images".

**5.** The O.A. states "As to argument (2), Applicant's argument that Cragun does not "block each and every image" is moot. It is noted that the features upon which applicant relies (i.e., blocking each and every advertising space) are not recited in the rejected claim(s), which disclose concealing "an internet advertising". Although the claims are interpreted in light of the specification, limitations from the specifications are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The applicant agrees with this response and has deleted argument (2) of Amendment A.

**6.** The O.A. states "Similarly, argument (3) claims that the application distinguishes over the Cragun reference in that the "structure of the claim are recited independent and apart from web browsers and unmodified and modified documents". No such recitation is found in the language of the claims."

The applicant agrees with this response and has deleted argument (3) of Amendment A.

**7.** The O.A. states "As to argument (4), Applicant argues that the application distinguishes from Cragun in that the blocked image in Cragun "was clearly displayed previously, and was not blocked as the first default step". The examiner contends that nothing in the claim language necessitates that the blocked image not be displayed prior to said blocking step."

The applicant agrees part way with this response. The applicant agrees that "not blocked as the first default step" is not recited in claim 1, although the blocked image in Cragun was clearly displayed previously. The phrase "not blocked as the first default step" is deleted in argument (4) of Amendment A, and deleted in further arguments.

The applicant disagrees that "nothing in the claim language necessitates that the blocked image not be displayed prior to said blocking step."

Claim 1 recites "A first means for blocking and **revealing** internet advertising comprising: (a) a second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising, (b) a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising, whereby a human can view and hear said internet advertising **only** if said human wants by using said selection method."

Cragun does **not** describe these novel physical features of claim 1.

Instead Cragun describes at col. 11, lines 45-49, (without numbers),"Referring again to FIG. 7c, in response to the user's request, browser displayed icon, indicating the location at which the image would have been placed had it not been blocked as further described below under the description for FIGS. 9a, 10, and 12."

Claim 1 is novel over Cragun because the "**reveal** said internet advertising" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

In addition claim 1 is novel over Cragun because the claim recites "whereby a human can view and hear said internet advertising **only** if said human wants".

The "said internet advertising" was clearly not displayed prior to the blocking step. This is because the "**only**" of claim 1 means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover,

claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

**8.** The O.A. states "With similar respect to arguments (5), (6), (7), and (9), Applicant's remarks concerning the claim "directly" choosing the blocking image and "placing images of a blocking nature" as the "first default step" are features argued but not claimed. The language of claim 1 does not necessitate that the blocking be done "by default" or automatically; as such the user-selected advertisement blocking of Cragun is sufficient to teach the claimed "second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising"."

The applicant agrees part way with this response. The applicant agrees that "directly", "first default step", and "by default" are features argued but not claimed. The arguments (5), (6), (7), and (9) of Amendment A are deleted.

The applicant disagrees that "as such the user-selected advertisement blocking of Cragun is sufficient to teach the claimed "second means for placing an image or images of a blocking nature of sufficient size to substantially conceal an internet advertising"."

The language of claim 1 is summarized in the preamble of "A first means for blocking and **revealing** internet advertising comprising:". The "**revealing**" of the preamble means that the internet advertising was previously unknown, from the definition of "**revealing**".

The language of claim 1 recites "a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising".

Claim 1 is novel over Cragun because the "**reveal**" of the claim means that the internet advertising was previously unknown, from the definition of "**reveal**".

In addition since claim 1 recites "whereby a human can view and hear said internet advertising **only** if said human wants", the internet advertising clearly was not displayed prior to the second means blocking step. This is because the "**only**" of the claim means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover, claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

**9.** The O.A. states "Applicant's argument (8) discloses that the blocking images of Cragun "do not simultaneously block anything". There is no limitation in the claims regarding "simultaneously blocking" any images or advertisements."

The applicant agrees with this response, and has deleted argument (8) of Amendment A.

**10.** The O.A. states "Argument (10) is similar to argument (2), in that Applicant states that Cragun does not block all images. No limitations are claimed regarding the blocking of all advertising images."

The applicant agrees with this response and has deleted argument (10) of Amendment A.

**11.** The O.A. states "Regarding argument (11), the examiner notes that Cragun teaches selectively displaying images that have been previously blocked, at col. 13, lines 40-43, which states, "the user can remove entries from the blocking list 310 in which case the image associated with the image-URL 770 that is removed will no longer be blocked or hidden". Therefore, Cragun teaches displaying blocked advertisements as the user sees fit."

The applicant agrees part way with this response. The applicant agrees and duly notes that the statement in argument (11) of "Instead Cragun describes images that are **only** blocked, hidden, or modified" contains the word "**only**" which does, in fact, have limiting and specific definitions. Cragun does **not** describe "advertisements" in the description at col. 13, lines 40-43.

The emphasis in argument (11) of "**disappear**" is deleted, and the argument has been improved in the above heading of "The Rejection of Independent Claim 1 on Cragun Overcome Under § 102".

The applicant maintains that Cragun "never describes and anticipates blocking images that disappear to reveal the internet advertising of claim 1" in the improved arguments, as briefly described herein.

Claim 1 is novel over Cragun because the claim recites "a third means for using a selection method to choose and make the blocking image or images disappear and **reveal** said internet advertising". The "**reveal**" of claim 1 means that the internet advertising was previously unknown, from the definition of "**reveal**".

Instead Cragun describes the display of images right away.

**12.** The O.A. states "As to Applicant's argument (12) that Cragun does not anticipate "internet advertising", the examiner contends that the Cragun reference is concerned with blocking advertisements displayed through web pages (col. 2, lines 1-9). Such advertising is inherently "internet advertising". Furthermore, the content of said advertising is irrelevant to the function of the blocking feature in Cragun, and the examiner submits that advertisements related to internet sites are extraordinarily well known in the art. Similarly, Applicant argues (13) that Cragun "narrowly describes advertisements only for lotteries". This is factually incorrect; Cragun has provided the lottery advertisement as an example of an advertising image capable of being blocked by the user. Nowhere in the description of Cragun is the invention limited solely to advertisements about lotteries."

The applicant agrees with this response, but respectfully points out that "advertisements related to internet sites are extraordinarily well known in the art" is not in regards to arguments (12) or (13). The applicant has deleted arguments (12) and (13) of Amendment A.

**13.** The O.A. states "In argument (14), Applicant states that the claimed advertising "can be placed anywhere on the internet". Such a limitation is not disclosed in the language of claim 1 or any other claim in the instant application. Similarly, arguments (15) and (16) are directed towards images "that are only of a blocking nature" and "that only disappear when directly selected". Again, such limitations are not expressly recited in the language of the claims."

The applicant agrees with this response and has deleted arguments (14), (15), and (16).

The applicant duly notes the language in "that are **only** of a blocking nature" and "that **only** disappear when directly selected" both contain the word "**only**" which does, in fact, have limiting and specific definitions.

**14.** The O.A. states "In regard to Applicant's argument (17), that the image-blocking system of Cragun blocks displayed entities other than images and advertisements does not preclude the Cragun reference from teaching a system similar to claim 1, which has been disclosed to block advertising."

The applicant agrees part way with this response. The applicant has deleted argument (17), but disagrees that Cragun teaches "a system similar to claim 1".

Claim 1and it's recited "**reveal** said internet advertising" is novel over Cragun because the "**reveal**" means that the internet advertising was previously unknown, from the definition of "**reveal**".

In addition claim 1 and it's "whereby a human can view and hear said internet advertising **only** if said human wants" is novel over Cragun. This is because the "**only**" of the claim means that "a human can view and hear said internet advertising" **(only) solely and exclusively** "if said human wants", from the definition of "**only**". Moreover, claim 1 and its "**only** if said human wants" is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun describes the display of images right away, regardless if a user wants.

The complete reasons that Cragun does **not** describe "a system similar to claim 1" are discussed in the above headings of "The Rejection of Independent Claim 1 on Cragun Overcome Under § 102".

**15.** The O.A. states "Applicant's arguments of pages 21-37 fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Allegations such as "Claim 1 is likely to be cheaper to build", "Claim 1 per se is substantially smaller in size than Cragun", "Claim 1 is able to do a job faster than Cragun", etc. are unsubstantiated allegations. Absent any factual evidence in support, such statements amount to mere allegations of patentability, and fail to comply with 37 CFR 1.111(b)."

The applicant agrees with this response. The improved arguments now specifically point out how the language of claim 1 patentably distinguishes from Cragun.

Regarding the unsubstantiated allegations, factual evidence including working models for claim 1 is detailed in a Rule 132 Declaration that is submitted with this amendment. The arguments for claim 1 now contain statements about working models to substantiate each argument.

The following arguments are deleted because they are unsubstantiated, Market Size, Salability, Presence of Market, Ease of Market Penetration, Related Product Addability, Obsolescence, and High Sales Anticipated.

However some arguments contain advantages that are conceptual and for the most part cannot be substantiated. These arguments are: Potential Competition, Markup, Broad Patent Coverage

Available, Youth Market, Unsuggested Modifications, Poor Reference, Contrarian Invention, Strained Interpretation, and No Convincing Reasoning. These arguments remain and have been improved.

**16.** The O.A. states "In response to Applicant's arguments of pages 37-39, with respect to the claimed "keys method", Cragun has been shown to utilize a keyboard to facilitate the disclosed system and method, in the cited col. 16, lines 50-54. The inclusion of a keyboard in said selection method necessarily teaches the claimed "keys method" of claim 8."

As discussed in the above heading of "Claim 8 is Rejected on Cragun Under § 102", claim 8 is in canceled status.

**17.** The O.A. states "Applicant's arguments of pages 39-42 fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references."

As discussed in the above heading of "Claim 8 is Rejected on Cragun Under § 102", claim 8 is in canceled status.

**18.** The O.A. states "Applicant's arguments of claim 9 on pages 42-46 are similar to those of claim 1 and as such are deemed similarly responded to."

The applicant thanks the Examiner. Independent claim 9 is canceled and replaced by independent claim 24. Unlike Amendment A, this amendment discusses claim 9, now claim 24, without using the same arguments from claim 1 by reference. This amendment contains the complete arguments for claim 9, now claim 24.

Claim 24 contains more clear and improved arguments that specifically point out how the language of the claim patentably distinguishes from Cragun.

Regarding unsubstantiated allegations, factual evidence including working models for claim 24 are detailed in a Rule 132 Declaration that is submitted with this amendment. The arguments for claim 24 now contain statements about working models to substantiate each argument.

The following arguments are deleted because they are unsubstantiated, Market Size, Salability, Presence of Market, Ease of Market Penetration, Related Product Addability, Obsolescence, and High Sales Anticipated.

However some arguments contain advantages that are conceptual and for the most part cannot be substantiated. These arguments are: Potential Competition, Markup, Broad Patent Coverage Available, Youth Market, Unsuggested Modifications, Poor Reference, Contrarian Invention, Strained Interpretation, and No Convincing Reasoning.

**19.** The O.A. states "With further respect to Applicant's arguments of claim 9 that "Cragun does not teach that a user is shielded from images or advertisements without taking action because to block or hide images in a blocking list is in response to a user request". The examiner respectfully disagrees."

The applicant respectfully disagrees with this response. The argument has been improved by replacing "in a blocking list" with "a pop-up dialog".

Claim 9 recites "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration,". Claim 9 is canceled and replaced by claim 24, yet the recited features are recited verbatim in the new claim.

Cragun does **not** teach these novel physical features of claim 9.

Instead Cragun describes at col. 10, lines 17-23, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."

Thus Cragun teaches that a user selects a displayed image, and selects block or hide option in a pop-up dialog to block or hide the image. This constitutes at least 2 user actions to block or hide the displayed images of Cragun.

Claim 9 is very different than Cragun and his at least 2 user actions because the claim recites the advantage of "whereby said person, **without taking any action**, is shielded from said internet advertisement by said non-advertising illustration".

Therefore Cragun lacks any suggestion that it should be modified in a manner required to meet claim 9.

**20.** The O.A. states "Claim 9 discloses "a device for superimposing a non-advertising illustration over an internet advertisement". Cragun teaches said device, as disclosed above.

The applicant respectfully disagrees with this response because Cragun does **not** teach claim 9.

Claim 9 recites "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes to by selecting said non-advertising illustration."
Cragun does **not** teach these results of claim 9. Claim 9 is canceled and replaced by claim 24, yet these results are recited almost verbatim in the new claim, but for the deletion of "to".
Instead Cragun teaches at col. 10, lines 17-23 (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."
Thus Cragun teaches that a user selects a displayed image, and selects block or hide option in a pop-up dialog to block or hide the image. This constitutes at least 2 user actions to block or hide the displayed images of Cragun.

Claim 9 is very different than Cragun and his at least 2 user actions because the claim recites the advantage of "whereby said person, **without taking any action**, is shielded from said internet advertisement by said non-advertising illustration".
In addition Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."
Cragun also teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away.
Claim 9 is very different than Cragun because the "**only**" of the claim means that "said internet advertisement is shown" **(only) solely and exclusively** "if said person wishes", from the

definition of "**only**". Moreover the "**only** if said person wishes" of claim 9 is a single fact and nothing more or different, from the definition of "**only**".
Instead Cragun teaches the display of images right away, regardless if a user wishes.

**21.** The O.A. states "The language of claim 9 does not necessitate that the user must not take action to superimpose a non-advertising illustration over an internet advertisement."
The applicant respectfully disagrees with this response.

Claim 9 does **not** recite "does not necessitate that the user must not take action to superimpose a non-advertising illustration over an internet advertisement."
Claim 9 recites "A device for superimposing a non-advertising illustration over an internet advertisement includes: (a) a means for said non-advertising illustration of said device to go into action and remove itself when selected by a person, (b) so that said internet advertisement is exposed and able to convey its contents to said person, whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes to by selecting said non-advertising illustration."

Claim 9 does "necessitate that the user must not take action to superimpose a non-advertising illustration over an internet advertisement." This is because the claim recites the result of "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration".

New claim 24 amends canceled claim 9 to make the claim language more clear that superimposing a non-advertising illustration over an internet advertisement is already done. And for claim 24 to be consistent with the claim 9 results of "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes to by selecting said non-advertising illustration."

New claim 24 now recites, in part, "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:".

**22.** The O.A. states "Instead, the claim assumes that the non-advertising illustration is already superimposed."

The applicant agrees part way with this response.

To make the claim more clear that it recites features consistent with the results of "whereby said person, without taking any action, is shielded from said internet advertisement by said non-advertising illustration, and whereby said internet advertisement is shown **only** if said person wishes to by selecting said non-advertising illustration", claim 9 is canceled and replaced by new claim 24.

New claim 24 now recites, in part, "A method for a non-advertising illustration superimposed over an internet advertisement includes the steps of:".

**23.** The O.A. states, "Thus, as Cragun teaches blocking displayed advertisements, a user, without taking any action to remove said blocking, would necessarily be "shielded" from the advertisement by the non-advertising illustration."

The applicant agrees with this response.

The complete reasons for claim 9, now claim 24, are discussed in the above headings of "Claim 9 is Amended, and Is Now New Independent Claim 24 Under § 112" and "The Rejection of Claim 9, Now New Independent Claim 24, on Cragun Overcome Under § 102" and "Claim 24 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over Cragun Under § 103".

**24.** The O.A. states "Applicant's arguments of claim 11 on page 46 is similar to the argument of claim 8, and as such is deemed similarly responded to." Regarding claim 8, the O.A. states "In response to Applicant's arguments of pages 37-39, with respect to the claimed "keys method", Cragun has been shown to utilize a keyboard to facilitate the disclosed system and method, in the cited col. 16, lines 50-54. The inclusion of a keyboard in said selection method necessarily teaches the claimed "keys method" of claim 8."

The applicant thanks the Examiner for the similarly responded to. As discussed in the above heading of "Claim 11 is Rejected on Cragun Under § 102", claim 11 is in canceled status.

**25.** The O.A. states "Applicant's arguments of claim 11 on page 46 is similar to the argument of claim 8, and as such is deemed similarly responded to." Regarding claim 8, the O.A. states

"Applicant's arguments of pages 39-42 fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references." The applicant thanks the Examiner for the similarly responded to. As discussed in the above heading of "Claim 11 is Rejected on Cragun Under § 102", claim 11 is in canceled status. This concludes the Response to Arguments section.

**A Review of the Main Reference of Cragun for New Claims 29, 30, 31, 32, 33, 34, 35, 36, and 37:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

**New Independent Claim 29 is Submitted Under § 112**

New independent claim 29 recites:

"A process to **reveal** a covered internet advertisement comprising:

(a) providing a covered internet advertisement,

(b) providing a covering non-advertising image,

(c) providing a selection method,

(d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement,

(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,

whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and

whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

**The claim elements are supported in the applicant's specification as follows:**

**a) The "process"** in the claim is supported on page 6, 4th paragraph, with "The internet ad door invention is primarily a **process** invention."

**b) The "covered internet advertisement"** is supported in the "BACKGROUND—DESCRIPTION OF PRIOR ART" part on page 1, 1st paragraph, with "Advertisements are not effective **covered** or hidden in any way.", and

**c)** on page 5, 3rd paragraph, with the parts names of "26, 28, 30, 32, 34, 36-- two copies of various internet ad sizes **covered** by graphics made to look like doors, drawers, shields, hatches, and handles", and

**d)** on page 9, 6th paragraph, with "Fig 1 presupposes that **the website creators** have reserved the edges of a webpage 38 for advertising content. This space contains two copies of various internet ad sizes **covered** by graphics made to look like doors, drawers, shields, hatches, and handles 26, 28, 30, 32, 34, 36.", and

**e)** on page 11, 4th to 5th paragraphs, with the first 2 examples "(1) An ad door is **covered** by an image of gift wrapping paper with ribbons and lace. When the gift wrapping ad door is selected, the ribbon and lace slowly untie, the wrapping is torn off, and the box top is opened to reveal the advertisement. This can be done in either two dimensional or three dimensional formats.

(2) An ad door is **covered** by an image of a black belt martial arts expert in a fighting stance facing the viewer with various combative expressions. When the karate man ad door is selected, he changes his stance to attention, bows respectfully, and steps aside to reveal the advertisement."

**f) Alternatively the "covered internet advertisement"** is supported in the Abstract on page 18, with "Any number of digital images of a blocking or covering nature, such as a door, that is **placed** over internet advertisement spaces such as banner ads and ad buttons, of various shapes and sizes (36). When such an ad door image is selected, it disappears in the manner of a door opening, or another uncovering manner, to reveal the advertising contents beneath (66).", and

**g)** in the "BACKGROUND—DESCRIPTION OF PRIOR ART" part on page 2, 1st paragraph, with "Another reason why advertisements are not **blocked** or **masked** is because it is physically difficult to place a cover on it and for a consumer to remove it. One certainly cannot cover a highway billboard and expect a consumer to unveil it.", and

**h)** on page 4, under "Objects and Advantages" with "(c) to entice viewers to select an internet ad door by utilizing the **"curiosity killed the cat" feeling**;", and

**i)** on page 14, 3rd-4th paragraphs, with "Moreover, advertisers who use the ad door benefit in several ways. Advertisers command the viewers' undivided attention because the viewer took the initiative to see and hear the advertisement by selecting it. An ad door works in a crafty way to attract attention because it acts on the **"curiosity killed the cat" feeling**. A viewer may think, "What is behind that thing?" and act on it by selecting the ad door.
When an ad door is selected, the advertiser can reward the **viewer's curiosity** by showing surprising, fun, and unusual advertisements in a variety of creative ways."

**j) The "covering non-advertising image"** is supported on page 10, 5th paragraph, with "the purpose of the internet ad door is to block, substantially and contiguously, the space containing the internet advertisement. This is done with a **non-advertising image** or illustration or non-advertising moving images or illustrations of sufficient size to serve as a door. When the non-advertising image is selected, the door opens, disappears, **uncovers**, or unfurls to reveal the advertisement beneath."

**k) The "providing a construction means"** is supported on page 10, 4th paragraph, with "Fig 4 shows a flowchart detailing the steps to be taken when constructing the internet ad door invention **70, 72, 74, 76.**"

The applicant submits that new claim 29 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 29 under 35 U.S.C. § 112.

**New Independent Claim 29 is Novel Over the Main Reference of Cragun Under § 102**

Claim 29 is novel over Cragun for the following reasons:

**1.** Claim 29 recites "(a) providing a covered internet advertisement".

Cragun does **not** describe these novel physical features of claim 29.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text,

graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also describes at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun describes the display of images right away.

Claim 29 distinguishes over Cragun because the claim recites "a covered internet advertisement".

Thus claim 29 recites a novel physical feature over Cragun.

**2.** Claim 29 recites "(d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement".

Cragun does **not** describe these novel physical features of claim 29.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also describes at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun describes the display of images right away.

Claim 29 distinguishes over Cragun because the claim recites "constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement".

Thus claim 29 recites novel physical features over Cragun.

**3.** Claim 29 recites "(d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement,".

Cragun does **not** describe these novel physical features of claim 29.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Cragun describes at col. 10, lines 17-21, (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image".

Thus Cragun clearly describes the display of images right away, prior to a user selecting block.

Claim 29 distinguishes over Cragun because the claim recites "said covering non-advertising image to substantially conceal said covered internet advertisement".

Instead Cragun describes the display of images right away that do not substantially conceal anything, but are later blocked.

Thus claim 29 recites novel physical features over Cragun.

**4.** Claim 29 recites "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Cragun does **not** describe these novel physical features of claim 29.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also describes at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."
Thus Cragun describes the display of images right away.
Claim 29 distinguishes over Cragun because the claim's "**reveal**" means that the internet advertisement was previously unknown, from the definition of "**reveal**".
Thus claim 29 recites novel physical features over Cragun.

**5.** Claim 29 recites "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image,".
Cragun does **not** describe these novel physical features of claim 29.

Instead Cragun describes at col. 2, lines 32-37, "The user selects an image that the user desires to be blocked. In response to this selection, the browser saves the control tag that identifies the image in a blocking list and blocks the display of the image. In this way, the user is allowed to decide which images are displayed and which are not."
Instead Cragun describes at col. 10, lines 17-23 (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."
Thus Cragun clearly describes the display of images right away. When a user selects the displayed images, a dialog box appears with a block option. The user selects block option in order to block the displayed images.

Claim 29 distinguishes over Cragun because the claim recites "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image,". This is because a user of Cragun must perform at least 2 actions for the displayed images to be blocked, and this constitutes a user action.

Thus claim 29 recites novel physical features over Cragun.

**6.** Claim 29 recites "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Cragun does **not** describe these novel physical features of claim 29.

Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also describes at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun describes the display of images right away, regardless if a user wants.

Claim 29 distinguishes over Cragun because the "**only**" of the claim means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if said person wants", from the definition of "**only**". Moreover the "**only** if said person wants" of claim 29 is a single fact and nothing more or different, from the definition of "**only**".

Thus claim 29 recites novel physical features over Cragun.

**7.** Cragun describes and shows a significant alternative embodiment about "windows".

According to Cragun these "windows" are not browser windows, in the usual sense of "windows". Cragun draws in FIG. 14b the display of multiple windows that are rectangular shaped, like a typical "window ".

Cragun defines images as windows, at col. 2, lines 1-3, "Many web pages are filled with numerous images. These images can be text, graphic images, video clips, or even entire windows."

Claim 29 recites "(d) constructing means for said covering non-advertising image to **substantially conceal** said covered internet advertisement,".

Cragun does **not** describe these novel physical features of claim 29.

Instead Cragun describes at col. 20, lines 42-50, (without numbers) "Referring to FIG. 20, there is illustrated sample logic that moves the blocking window to the top of the z-order. At block, control starts. Control then continues to block, where application-blocking manager determines if the blocker-window **size equals** the blocked-window **size.** If the determination at block is false, then control continues to block, where application-blocking manager **resizes** the blocking window to be the blocked-window **size**."

Thus Cragun describes that a blocked window size must be equal in size to the blocker window.

Claim 29 and it's "covering non-advertising image to **substantially conceal** said covered internet advertisement" distinguishes over Cragun and his requirement of equal sizes of the blocked window and blocker window.

Thus claim 29 has novel physical features that distinguish over Cragun.

Therefore the applicant submits that claim 29 is novel over Cragun and solicits reconsideration and allowance under 35 U.S.C. § 102.

**Claim 29 Produce New and Unexpected Results and Hence is Unobvious and Patentable Over the Main Reference of Cragun under § 103**

The applicant submits that the novel physical features of claim 29 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Cragun, or any combination thereof.

The new and unexpected results that flow from the novel physical features of claim 29 are discussed in the following reasons:

**1. Omission of Elements:** Numerous elements of Cragun are omitted in claim 29 because the novel physical features of the claim are: "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising

image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

The elements of **Cragun** that are omitted in claim 29 are: an unmodified document, application manager, control tags, interface dialogs showing menu options block and hide and configure-blocking, entries, blocking lists, input fields, image-URL field, match level field, the match level fields that may contain the contents of image/site/directory/custom, match position field, scope field, action field, delay field, location field, match-to-position field, directories, href value, href tag, browser displayed icons, blank icons, blank areas, data structures, blocking records, a new page operation, an edit-profile operation, an exit operation, hotspot function, bookmark entry function, true determinations, false determinations, default values, determine selected window function, application-blocking manager, application-blocking list, application name, application title, window title, window class, next-pointer field, previous-pointer field, window-caption field, window-class field, current-handle field, parent-application field, parent-chain field, blocker-window field, blocking-active field, an application-blocking list management operation, a destroy window operation, the z-order, the maximum z-order, current handles, current windows, current records, parent windows, create parent window function, return steps, generated unmodified version documents, a saving user selection for subsequent use function, and generated modified version documents, among other elements.

Thus claim 29 is simpler than Cragun without loss of capability.

Claim 29 is demonstrated in working models in which the numerous elements of Cragun are omitted.

**2. Cost:** Claim 29 is likely to be cheaper to build per se than Cragun and is free to use because the novel physical features of the claim are: "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image," that are combined in "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Claim 29 and its 2 parts of "a covered internet advertisement" and "a covering non-advertising image" are cheap to build.

The low cost to build of claim 29 is demonstrated in working models created using low cost software. The software retails for $450 and is called "PowerPoint® 2007" from "Microsoft® Office Small Business 2007" suite containing 5 other programs.

The low cost to build result of claim 29 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts, and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:". Thus Cragun is likely to be many times more expensive to build than claim 29.

Claim 29 will be free to use for consumers, as is customary of advertising in general.

The free cost to use result of claim 29 is very different than Cragun because his invention is embedded in browsers.

Cragun teaches at col. 4, lines 42-50, "The **browser** retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file. The page contains control tags and data. The control tags identify the structure; for example, the headings, subheadings, paragraphs, lists, and **embedding** of images."

Furthermore Cragun teaches at col. 9, lines 7-10, (without numbers) "The functions of application-blocking manager could be performed by a browser, and the use of the word "**browser**" herein encompasses any application capable of selectively blocking images on a display screen."

Thus Cragun's invention, as a large browser application, typically has a cost to use that is passed to the consumer in several ways. Although the cost to use of Cragun for a consumer is likely not expensive, it is very significant compared to the free cost to use of claim 29.

As mentioned the low cost to build of claim 29 is demonstrated in working models.

**3. Size:** Claim 29 per se is substantially smaller in size than Cragun because the novel physical features of the claim are: "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image,".

Claim 29 has the 2 parts of "a covered internet advertisement" and "a covering non-advertising image". This small size of claim 29 is a benefit that is very different than Cragun.

The small size of claim 29 makes sending its 2 parts on the internet easy. This small size also has the added benefit of making the packaging of claim 29 unnecessary for distribution by shipping.

Cragun is significantly larger in size than claim 29 because his invention has numerous parts, steps and functions as shown in his in 30 drawings with 14 detailed flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

The large size of Cragun makes sending his invention on the internet much slower than claim 29. Also the large size of Cragun's application, especially if it is combined with large web browser software, is typically packaged for distribution by shipping.

Thus the small size of claim 28 has advantages over Cragun.

The small size of claim 29 is demonstrated in working models and in Figs. 1, 2, and 3.

**4. Speed:** Claim 29 is able to do a job faster than Cragun because the novel physical feature of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Claim 29 requires the fast step of choosing "said covering non-advertising image" to work. Such change in speed is a benefit because the speed advantage is important in internet innovations.

The speed result of claim 29 is very different than Cragun because the selective blocking of his displayed images requires **multi-step** selecting that is much slower than the claim.

For example, Cragun requires a minimum of a user selecting displayed images, displaying a dialog box, and selecting the menu options of block, hide, or configure-blocking. If configure blocking is selected, a blocking list with 6 different fields appears for a user to modify before a displayed image is blocked.

The speed of claim 29 is demonstrated in working models in which the fast step of choosing the non-advertising image is all that is required.

**5. Novelty:** Claim 29 has novelty over Cragun because the novel physical features of the claim are: "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered

internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

The novelty of claim 29 is very different than Cragun and all previously known counterparts as of the applicant's filing date.

Cragun does **not** teach the novelty results in claim 29 of "(a) providing a covered internet advertisement" and "(d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement".

Instead Cragun teaches at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun also teaches at col. 10, lines 7-13, (without numbers) "FIG. 7a illustrates a pictorial representation of the interfaces that are used to control the operations of the preferred embodiment. FIG. 7a contains browser window that is displayed on display screen. The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away.

Cragun does **not** teach the novelty result in claim 29 of "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement". This is because the "**reveal**" of the claim means that the internet advertisement was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away.

Cragun does **not** teach the novelty result in claim 29 of "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image".

Instead Cragun teaches at col. 10, lines 17-23 (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."

Thus Cragun teaches that a user selects a displayed image, and selects the block or hide option in a pop-up dialog. This constitutes user actions for the blocking or hiding of Cragun's displayed images.

Cragun does **not** teach the novelty result in claim 29 of "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method." This is because the "**only**" in claim 29 means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if the person wants", from the definition of "**only**". Moreover, claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches the display of images right away, regardless if a user wants.

Hence claim 29 has novelty results over Cragun.

The novelty of claim 29 is demonstrated in working models.

**6. Ease of Use:** Claim 29 is easier to use and learn than Cragun because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,". Claim 29 requires simply choosing "said non-advertising image" to work, which needs practically no learning. These advantages of claim 29 are especially important for a digital innovation because it enables a human to use the computer more facilely, and this counts a great deal.

The ease of use result of claim 29 is very different than Cragun because his invention is significantly harder to use and learn. Cragun, for example, requires a user to select displayed images, select menu options of block, hide, or configure-blocking, and modifying a blocking list

with the 6 fields of image-URL, match level, match position, scope, action, and delay. These fields of Cragun require a user to learn the intricacies of each field which is not easy.
The ease of use of claim 29 is demonstrated in working models.

**7. Ease of Production:** Claim 29 is much easier and cheaper to produce than Cragun because the novel physical features of the claim are: "(d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,'.
Claim 29 is very easy to produce because of its 2 parts of "said covering non-advertising image" and "said internet advertisement".
The ease of production in claim 29 is demonstrated in a working model that took about 2 hours to produce. The models were proudced using standard low cost software, a laptop computer, and a few techniques. The software retails for $450 and is called "PowerPoint® 2007" which is part of the "Microsoft® Office Small Business 2007" suite containing 5 other programs.
The ease of production result of claim 29 is very different than Cragun because the numerous parts, steps and functions as shown in his 30 drawings with 14 detailed flowcharts and specification are needed to produce his invention. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".
Thus Cragun is likely much harder and more expensive to produce than claim 29.
As mentioned the ease of production in claim 29 is demonstrated in working models.

**8. Miscellaneous:** Claim 29 takes the "curiosity killed the cat" feeling of people and makes it an advantage because the novel physical features of the claim are: "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering

non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Claim 29 and its "said covered internet advertisement" may evoke the "curiosity killed the cat" feeling in people. To satiate the curiosity, a person selects "said covering non-advertising image" to "**reveal** said covered internet advertisement".

The curiosity advantage of claim 29 is very different than Cragun because he teaches the display of images right away as discussed in the above subheading "5. Novelty:".

Thus Cragun does **not** teach the curiosity result of claim 29.

In addition claim 29 has the miscellaneous advantage of garnering a person's full and undivided attention.

Claim 29 and its "said covered internet advertisement" garners a person's full and undivided attention because the "**only**" in claim 29 means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if the person wants", from the definition of "**only**". Moreover, claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**".

This is a decided advantage for marketers and advertisers implementing claim 29.

Cragun does **not** teach garnering the full and undivided attention of a user as in claim 29.

In addition claim 29 has a prerogative advantage. Claim 29 gives a person a prerogative since "a person can view said covered internet advertisement **only** if said person wants". This is because, as mentnioned, the "**only**" in claim 29 means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if the person wants", from the definition of "**only**". Moreover, claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**".

Cragun does **not** teach this prerogative advantage of claim 29.

These miscellaneous results of claim 29 are demonstrated in working models.

**9. Obviation of Specific Disadvantages of an Existing Invention:** Claim 29 recites "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Cragun does **not** teach this function of claim 29.

Instead Cragun teaches at col. 10, lines 18-23 (without numbers) "Referring again to FIG. 7a, when the user selects image via pointer, browser displays pop-up dialog, which contains options block and hide. In response to the user selecting block or hide, browser will block or hide image, as further described below under the description for FIGS. 7c, 7d, and 9."

Cragun teaches at col. 10, lines 28-33, (without numbers) "FIG. 7b illustrates a pictorial representation of the interfaces presented by browser when the user selects configure covering option, as described above under the description for FIG. 7a. Referring again to FIG. 7b, browser has displayed the fields in blocking list that are available for the user to modify."

Thus Cragun teaches requiring a minimum of a user selecting an image, a pop-up dialog is displayed, and user selects block or hide option. If configure blocking is selected, a blocking list is displayed, the selecting and modifying displayed fields, prior to blocking.

Cragun's **multi-step** way of selecting to block or hide displayed images is very different than claim 29 and its 1 step of "utilizing said selection method to choose said covering non-advertising image".

Therefore it is obvious that the 1 step of claim 29 overcomes the specific disadvantages of Cragun and his **multi-step** way of selecting, which requires at least 3 steps.

**10. Convenience:** Claim 29 makes living easier and more convenient because the novel physical features of the claim are: "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Claim 29 makes living easier because "a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image". This reduces the often distracting visual clutter for people who don't like advertising.

The convenience result of claim 29 is very different than Cragun because his invention displays images right away as discussed in the above subheading "5. Novelty:".

Also Cragun's numerous parts, steps and functions as discussed in the above heading "1. Omission of Elements:", are much less convenient to use than claim 29.

The convenience of claim 29 is demonstrated in working models.

**11. Social Benefit:** Claim 29 produces a social benefit because the novel physical features of the claim are: "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image,".

Claim 29 and it's "a person, without taking any action, is shielded from said covered internet advertisement", provides a social benefit for people who don't like advertisements. This is because such advertisement is covered "by said covering non-advertising image".

The social benefit result of claim 29 is very different than Cragun because he teaches the display of images right away as discussed in the above subheading "5. Novelty:".

The social benefit of claim 29 is demonstrated in working models.

**12. Mechanization:** Claim 29 provides a computerization benefit that saves more time than Cragun because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

A person simply chooses "said covering non-advertising image" with a selection method of claim 29, and this saves time.

The mechanization result of claim 29 is very different than Cragun because his numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification take up significantly more time. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

Also Cragun teaches a **multi-step** way of selecting which requires a minimum of a user selecting an image, the display of a dialog box, and selecting 1 of 3 menu options which takes up more time than claim 29.

The mechanization of claim 29 is demonstrated in working models.

**13. Appearance:** Claim 29 provides a better appearing design than Cragun because the novel physical features of the claim are lean and austere in appearance with its 2 parts of "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image," Claim 29 and its "a covered internet advertisement" and "a covering non-advertising image" can show fun and entertaining content that provides another appearance benefit.

The appearance results of claim 29 are very different than Cragun because his numerous parts, steps and function as shown in his 30 drawings with 14 flowcharts and specification is complicated and bulky in appearance. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

Furthermore the displayed images of Cragun that are later blocked or hidden by a browser displayed icon, a blank icon, or blank area are uniform and dull in appearance.

The appearance of claim 29 is demonstrated in working models in which it has a lean and austere appearance.

**14. Potential Competition:** Since the novel physical features of claim 29 are so simple and easy to produce that, as a result many imitators and copiers are likely to attempt to copy it, and design around it, and try to break the patent as soon as it is brought out. This is because claim 29 recites the 2 parts of "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image,".

The potential competition result of claim 29 is very different than Cragun because his invention is much more complex with awkward results that make it much harder to produce. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

As a result Cragun is not likely to be imitated or copied by potential competition.

Claim 29 is demonstrated in working models that were simple and easy to produce that took about 2 hours with standard software and a laptop computer.

**15. Excitement:** Claim 29 can provide consumer excitement because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image,'.

Claim 29 has the benefit of surprise that provides excitement because the claim recites "to **reveal** said covered internet advertisement". The "**reveal**" of the claim means that the internet advertisement was previously unknown, from the definition of "**reveal**".

Thus the advertising product or service in "to **reveal** said covered internet advertisement"of claim 29 is unknown until it is selected.

Also claim 29 can be exciting because when choosing "said covering non-advertising image", it can disappear in entertaining ways.

Claim 29 and the **revealed** covered internet advertisement can provide motivation for status seekers of a costly purchase and for neophiles of the sheer newness of a purchase.

The excitement results of claim 29 are very different than Cragun because a user of his invention requests to block, hide, or "configure blocking" the displayed images. This mitigation of displayed images results in hardly any excitement, much less the rather dull browser displayed icon, blank icon, or blank area that blocks or hides.

The excitement of claim 29 is partly demonstrated in working models. The chosen covering non-advertising image disappears in stimulating ways. To add more excitement to the working models is feasible.

**16. Markup:** Since claim 29 is in an excitement category (as discussed in the previous subheading), it can command a very high markup which is a distinct selling advantage. The markup result of claim 29 is very different than Cragun because his invention is not in an excitement category.

Claim 29 is demonstrated in working models.

**17. Inferior Performance:** Claim 29 may provide an inferior performance benefit because the novel physical features of the claim are: "(d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Claim 29 and its "said covering non-advertising image" may perform worse than comparable internet images. Claim 29 can "substantially conceal said covered internet advertisement" with an inferior "said covering non-advertising image" and this is an advantage when put to proper use. Such uses are to save costs, reduce production time, conserve such things as equipment, material, and energy. The advantages include a smaller digital size, faster download and upload

times, faster "play" times, and the inferior performance of "said covering non-advertising image" of claim 29 has throwaway digital properties.

The inferior performance results of claim 29 are very different than Cragun because his invention produces a value added web browser or a value added unmodified document.

The inferior performance claim 29 is demonstrated in working models in which the non-advertising illustrations are inferior to comparable internet images.

**18. New Use:** Claim 29 has discovered a new use of its novel physical features which are: "(d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Claim 29 newly uses "said covering non-advertising image" to "substantially conceal said covered internet advertisement". Then the "said covering non-advertising image disappears to **reveal** said covered internet advertisement".

The new use result of claim 29 is very different than Cragun because his invention does **not** teach the new use.

The new use of claim 29 is demonstrated in working models.

**19. "Sexy" Packaging:** Claim 29 is able to present "sexy" packaging or is adaptable to being sold in such a package because the novel physical features of the claim are: "(d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement,".

Claim 29 and its "said covering non-advertising image" is a packaging, of a digital kind, that can show sex appeal and this is a great advantage. For example, "said covering non-advertising image" has a tropical getaway theme replete with scantily clad models.

The "sexy" packaging result of claim 29 is very different than Cragun because a user of his invention actually requests to block, hide, or configure blocking the displayed images. As a result Cragun lessens or mitigates any sex appeal shown by his displayed images.

The working models of claim 29 show the packaging made of a non-advertising image. To add "sexy" packaging to this packaging is very feasible.

**20. Operability:** Claim 29 is likely to work readily, and no significant additional design and technical development is required to make it practicable and workable because the novel physical features of the claim has the 2 parts of "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image,".

The ready operability of claim 29 is demonstrated in working models that were designed using standard software, a laptop computer, and a few techniques.

The operability result of claim 29 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus Cragun requires significant additional design and technical development. As a result Cragun has a much less operability result than claim 29.

As mentioned the operability of claim 29 is demonstrated in working models.

**21. Development:** Claim 29 is already designed for the market and minimal appearance work is required because the novel physical features of the claim has the 2 parts of "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image,".

The minimal development of claim 29 is demonstrated in working models that were developed in about 2 hours using standard software, a laptop computer, and a few techniques.

The development result of claim 29 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements: ".

Thus Cragun requires significant development such as additional engineering and appearance work, and as a result needs much more development than claim 29.

As mentioned the minimal development of claim 29 is demonstrated in working models.

**22. Ease of Distribution:** Claim 29 per se is easy to distribute because the novel physical features of the claim has the 2 parts of "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image," that are combined in "(e) utilizing said selection

method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Claim 29 and its 2 parts are very easily sent on the internet. Sending the 2 parts of claim 29 on the internet makes shipping it for distribution unnecessary, and this is a great advantage.

The ease of distribution of claim 29 is demonstrated in working models that, for example, can be sent via email with an internet connection.

The ease of distribution result of claim 29 is very different than Cragun because his invention is so large that it takes 30 drawings with 14 flowcharts, and specification to show its numerous parts and steps. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

The large size of Cragun will be difficult and costly to distribute, such as taking longer to send on the internet.

Cragun teaches at col. 9, lines 3-10, (without numbers) "Although application-blocking manager is drawn as being separate from operating system, they could be **packaged** together. Although application-blocking manager is drawn as being separate from browser, they could be **packaged** together. The functions of application-blocking manager could be performed by a browser, and the use of the word "browser" herein encompasses any application capable of selectively blocking images on a display screen."

Thus the operating systems and web browsers that can be packaged with Cragun are distributed by shipping. As a result Cragun is significantly more difficult to distribute than claim 29.

As mentioned the ease of distribution of claim 29 is demonstrated in working models.

**23. Production Facilities:** Almost all inventions require new production facilities, a distinct disadvantage. This is because the manufacture of anything new requires new tooling and production techniques. However claim 29 requires a modest or no change in new production facilities, a tremendous advantage because the novel physical features of the claim has the 2 parts of "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image,".

The modest or no change in production facilities of claim 29 is demonstrated in working models that were produced using standard software, a laptop computer, and a few techniques.

This production facilities result of claim 29 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

As a result Cragun requires a large change in production facilities.

As mentioned the modest or no change in production facilities of claim 29 is demonstrated in working models.

**24. Minor Technical Advance:** Claim 29 is a minor technical advance and can be commercially implemented within about 17 months because the novel physical features of the claim has the 2 parts of "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image,".

Claim 29 is created in working models using standard software and a laptop computer.

The minor technical advance result of claim 29 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

Thus Cragun is a much greater technical advance than claim 29, especially because his invention can be packaged with complex, very technical web browsers.

As mentioned the minor technical advance of claim 29 is demonstrated in working models.

**25. Minimal Learning Required:** People will have to undergo minimal or no learning in order to use claim 29 because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Simply choosing "said covering non-advertising image" of claim 29 requires minimal or no learning and this is a strong advantage.

The minimal or no learning result of claim 29 is very different than Cragun because his invention is so complex that it takes 30 drawings with 14 flowcharts to comprehend its numerous parts, steps and functions. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

As a result a user of Cragun will need significant time, trial and error, and learning to use his invention.

The minimal learning or no learning of claim 29 is demonstrated in working models in which simply choosing the a covering non-advertising image is all that is required.

**26. Easy to Promote:** Claim 29 is cheap and easy to market because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Claim 29 and its "said covering non-advertising image" and "said covered internet advertisement" are very visible, and is generally free to the consumer. These advantages make claim 29 easy to promote.

The easy to promote result of claim 29 is very different than Cragun because his invention has numerous parts, steps and functions as shown in his 30 drawings with 14 flowcharts and specification. The numerous elements of Cragun are discussed in the above subheading "1. Omission of Elements:".

Along with the complexity of Cragun's invention, his results show browser displayed icons, blank icons, and blank areas to block or hide displayed images. Hence Cragun mitigates the visibility of his displayed images, and these results do not make it cheap and easy to market. Thus Cragun's invention is hard to promote.

The easy to promote advantages of claim 29 are demonstrated in working models.

**27. Prototype Availability:** Claim 29 has a prototype available and demonstrated in working models. The novel physical features of the claim are: "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

The prototype of claim 29 will make it far easier to market since potential purchasers or licensees will be much more likely to buy something which is real and tangible rather than on paper only.

**28. Broad Patent Coverage Available:** If allowed, claim 29 will obtain broad patent coverage because its construction is lean, novel, unobvious, and is recited in broad terms.

The broad patent coverage gives claim 29 the capability to charge more than if it were in a competitive situation. This will affect profitability because claim 29 is the only source which performs its certain functions like "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Thus claim 29 is very different than Cragun because his invention does **not** teach the certain functions of the claim.

Claim 29 is demonstrated in working models which show it's certain functions.

**29. Visibility of Invention in Final Product:** Claim 29 is highly visible and essentially constitutes the entire final product because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

Claim 29 has the 2 visible parts of "said covering non-advertising image" and "said covered internet advertisement". Claim 29 and its high visibility will be a distinct marketing advantage to entice people.

The high visibility result of claim 29 is very different than Cragun because his invention actually mitigates the visibility of displayed images by later blocking, hiding, or "configure blocking" them.

Also many parts of Cragun are not visible such as control tags, href tags, the application-blocking manager, a determine selected window function, and a saving user selection for subsequent use function.

Thus Cragun and his parts that are not visible do not essentially constitute the entire final product. As a result Cragun has significantly lower visibility than claim 29.

The visibility of claim 29 is demonstrated in working models in which its 2 parts are highly visible.

**30. Ease of Packaging:** Claim 29 has the advantage of requiring no packaging because the novel physical features of the claim has the 2 parts of: "(a) providing a covered internet advertisement, (b) providing a covering non-advertising image," that are combined in "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".

The small size of the 2 parts in claim 29 makes it easy to send on the internet. The packaging of claim 29 for shipping is unnecessary and this advantage will be a great aid in marketing.

The ease or no packaging of claim 29 is demonstrated in working models which can be sent, for example, via email with an internet connection.

The ease or no packaging result of claim 29 is very different than Cragun because his invention has a significantly more expensive packaging result.

Cragun teaches at col. 9, lines 3-7, (without numbers) "Although application-blocking manager is drawn as being separate from operating system, they could be **packaged** together. Although application-blocking manager is drawn as being separate from browser, they could be **packaged** together."

Thus the operating systems and web browsers that can be packaged with Cragun are distributed by shipping. Although likely not expensive, Cragun is significantly more expensive to package than the no packaging of claim 29.

As mentioned the ease or no packaging of claim 29 is demonstrated in working models.

**31. Youth Market:** Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 29 has the surprise factor that will likely be popular with this age group because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement," and "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Claim 29 and the advertised product or service will only be known by "utilizing said selection method to choose said covering non-advertising image". Since "said covered internet advertisement" of claim 29 can advertise virtually anything, this includes products aimed for the youth market. In addition "said covering non-advertising image" can be presented in many ways, including material that is meant to be fun, entertaining, and dramatic that piques young people's interest.

Thus "to **reveal** said covered internet advertisement" of claim 29 may command more sales than something that is not attractive to this age group such as Cragun's invention.

The youth market result of claim 29 is very different than Cragun. The displayed images of Cragun that are later blocked, hidden, or "configure blocking" is probably boring for most young people. This is because Cragun does **not** teach targeting the youth market.

Claim 29 is demonstrated in working models.

**32. Synergism:** The results achieved by claim 29 are greater than the sum of the separate results of its parts because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement," and "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Claim 24 presents the result of "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

This result of claim 29 is much more than its separate results of "utilizing said selection method to choose said covering non-advertising image that substantially disappears" and "to **reveal** said covered internet advertisement".

In addition these separate results of claim 29 cooperate to increase the overall effectiveness of the "**reveal** said covered internet advertisement" since it garners the full and undivided attention of a person, a synergistic effect.

The synergism results of claim 29 are very different than Cragun. The result in Cragun of a browser displayed icon, or a blank icon, or blank areas are smaller than the sum of the numerous results of his invention.

Cragun teaches the numerous results like displayed images, dialog boxes, blocking, hiding, configure blocking, 6 configure blocking fields, modified web browsers, modified documents, an application-blocking manager, blocking lists, data structures, among other results.
Thus Cragun does **not** teach a synergism result.
The synergisms of claim 29 are demonstrated in working models.

**33. Different Combination:** The combination of claim 29 had not been previously created as of the applicant's filing date because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement,".
Claim 29 presents the combination of "said covering non-advertising image that substantially disappears" and "to **reveal** said covered internet advertisement".
Instead Cragun teaches the combination of displayed images, that a user requests to block, hide, or "configure-blocking", with a browser-displayed icon or a blank icon or a blank area.
Thus Cragun teaches a different combination result than claim 29.
The different combination of claim 29 is demonstrated in working models.

**34. Unexpected Results:** The results achieved by claim 29 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical and surprising because the novel physical features of the claim are: "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."
This is because the "**only**" in claim 29 means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if the person wants", from the definition of "**only**". Moreover, claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**"
This unexpected result of claim 29 is very different than Cragun. Instead Cragun displays images that are later blocked, hidden, or "configure blocking".
The unexpected results of claim 29 are demonstrated in working models.

**35. Assumed Insolubility:** Claim 29 solves a problem that is insoluble because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet

advertisement," and "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

As of the applicant's filing date, those skilled in the art thought or found the problem solved by claim 29 to be insoluble. Claim 29 converts failure into success because the claim solves the problem of generating sufficient revenue from internet advertising. Claim 29 does this by making it possible for a website to charge more for the claim's internet advertisement than for prior art internet advertising without "said non-advertising covering image".

Claim 29 and its "to **reveal** said covered internet advertisement" garners the full and undivided attention of a person. This is because the "**reveal**" of the claim means that the internet advertisement was previously unknown, from the definition of "**reveal**".

In addition claim 29 garners the full and undivided attention of a person because the "**only**" of the claim means that "a person can view covered internet advertisement" **(only) solely and exclusively** "if said person wants", from the definition of "**only**". Moreover claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**". This full and undivided attention provides more value for the internet advertisement of claim 29.

Also claim 29 and its "selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement" has more value than unselected internet advertising. A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertisement of claim 29.

The assumed insolubility result of claim 29 is very different than Cragun. Cragun does not solve and does **not** teach the problem of generating sufficient revenue from internet advertising.

The failure of prior art websites to generate sufficient revenue from internet advertising indicates that a solution was not obvious.

As of the applicant's filing date, the assumed insolubility of claim 29 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**36. Crowded Art:** Claim 29 is classified in a crowded art and therefore, a small step forward should be regarded as significant because the novel physical features of the claim are: "(d)

constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement,".

Cragun does **not** teach this small step forward in claim 29 of "a constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement". Instead Cragun describes at col. 4, lines 42-48, "The browser retrieves a web page from the server and displays it to the user at the client. A "web page" (also referred to as a "page" or a "document") is a data file written in a hyper-text language, such as HTML, that may have text, graphic images, and even multimedia objects, such as sound recordings or moving video clips associated with that data file."

Cragun describes at col. 10, lines 10-13, (without numbers) "The user has previously entered URL, which is the address from which browser downloaded the example page from a server, which contains images and and search terms input field."

Thus Cragun teaches the display of images right away, that are not "covering" and do not "substantially conceal said covered internet advertisement" during construction, as in claim 29. The display of images right away is commonplace in the crowded art of Cragun and claim 29, in fact nearly universal as of the applicant's filing date.

Therefore the small step forward in claim 29 of "constructing means for said covering non-advertising image" is very different than Cragun's images that are displayed right away. This is because Cragun's images that are displayed right away do not "substantially conceal said covered internet advertisement" of claim 29.

Hence claim 29 has a crowded art result over Cragun.

**37. Unsuggested Modification:** Cragun lacks any suggestion that his invention should be modified in a manner to meet claim 29 because the novel physical features of the claim are: "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered

internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."
Cragun does **not** teach claim 29 and it's "a covered internet advertisement".
Instead Cragun displays images right away as discussed in the above subheading "5. Novelty:".
Thus Cragun clearly lacks any suggestion that his invention should be modified in a manner to meet claim 29.
Claim 29 is demonstrated in working models.

**38. Unappreciated Advantages:** As of the applicant's filing date, Cragun and those skilled in the art never appreciated the advantages of claim 29 although it is inherent because the novel physical features of the claim are: "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."
From this result claim 29 has the advantages of using curiosity, surprise, and garnering the full and undivided attention of a user.
The advantages of claim 29 create a higher value for its "said covered internet advertisement".
Claim 29 is very different than Cragun because the "**only**" in the claim means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if said person wants", from the definition of "**only**". Moreover claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**".
Cragun does **not** teach the advantages of claim 29, instead he teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".
The unappreciated advantages of claim 29 are demonstrated in working models.

**39. Poor Reference:** Cragun is foreign to claim 29 because the novel physical features of the claim are: "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."
Cragun does **not** teach claim 29 and its "said covered internet advertisement". Therefore Cragun does **not** teach the result in claim 29 of "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image".
Instead Cragun displays images right away as discussed in the above subheading "5. Novelty:".

Cragun does **not** teach claim 29 and its result of "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method." This is because the "**only**" in the claim means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if a person wants", from the definition of "**only**". Moreover claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**".

Since Cragun teaches the display of images right away regardless if a user wants (as discussed in the above subheading "5. Novelty:"), his invention conflicts with this result of claim 29.

Thus Cragun is foreign and conflicts with claim 29, and therefore is a weak reference and should be construed narrowly.

Claim 29 is demonstrated in working models.

**40. Lack of Implementation:** If claim 29 were in fact obvious, because of its novel physical features and advantages, Cragun and those skilled in the art surely would have implemented the claim as of the applicant's filing date.

The novel physical features of claim 29 are: "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Cragun does **not** teach and show claim 29 and its "(a) providing a covered internet advertisement".

Claim 29 has the advantages of using curiosity, surprise, and garnering the full and undivided attention of a person. This is because the claim has the result of "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Instead Cragun displays images right away (as discussed in the above subheading "5. Novelty:") and later blocks, hides, or "configure blocking" them. Thus Cragun does not show the advantages of using curiosity, surprise, and garnering the full and undivided attention of a user of claim 29.

The fact that Cragun and those skilled in the art have not implemented claim 29, despite its great advantages, indicates that it is not obvious.

Claim 29 is demonstrated in working models and witnessed by computer professionals.

**41. Misunderstood Reference:** Cragun does **not** teach what the O.A. relies upon it as supposedly teaching because the novel physical features of claim 29 are: "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Cragun does **not** teach "a covered internet advertisement" of claim 29.

Cragun does **not** teach "to **reveal** said covered internet advertisement" of claim 29. This is because the "**reveal**" of the claim means that the internet advertisement was previously unknown, from the definition of "**reveal**".

Instead Cragun teaches the display of images right away as discussed in the above subheading "5. Novelty:".

Cragun does **not** teach the result in claim 29 of "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

This is because the "**only**" in the claim means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if a person wants", from the definition of "**only**".

Moreover, claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**"

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

Thus Cragun is a misunderstood reference in regards to claim 29.

Claim 29 is demonstrated in working models in which Cragun clearly does **not** teach.

**42. Solution of Long-Felt and Unsolved Need:** Claim 29 provides a solution to a long-felt, long-existing, but unsolved need because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement" and "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Claim 29 solves the need to generate sufficient revenue from internet advertising. Claim 29 does this by making it possible for a website to charge more for the claim's internet advertisement than for prior art internet advertising without "said non-advertising covering image".

Since an "a person can view said covered internet advertisement **only** if said person wants by using said selection method", the person's full and undivided attention is garnered. This full and undivided attention provides a higher value for the internet advertisement of claim 29.

In addition claim 29 and its "selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement" has more value than unselected internet advertising. A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertisement of claim 29.

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:". These displayed images of Cragun are mitigated on user request by later blocking, hiding, or configure blocking them.

Thus Cragun does not solve and does **not** teach the need to generate sufficient revenue from internet advertising.

As of the applicant's filing date, the solution of a long-felt and unsolved need of claim 29 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**43. Contrarian Invention:** Claim 29 is contrary to the teachings of Cragun because the novel physical features of the claim are: "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Cragun does **not** teach the result in claim 29 of "a person can view said covered internet advertisement **only** if said person wants by using said selection method."

This is because the "**only**" in the claim means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if said person wants", from the definition of "**only**". Moreover claim 29 and its "**only** if said person wants" is a single fact and nothing more or different, from the definition of "**only**".

Thus claim 29 goes against the grain of what Cragun teaches because his invention instead displays images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

The contrarian invention of claim 29 is demonstrated in working models.

**44. New Principles of Operation:** Claim 29 utilizes new principles of operation because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Cragun and the prior art do **not** teach these new principles of operation because the "**reveal**" of the claim means that the internet advertisement was previously unknown, from the definition of "**reveal**".

Cragun and the prior art do **not** teach the new principle of operation in claim 29 of "a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image".

Instead Cragun teaches the display of images right away as discussed in the above subheading "5. Novelty:".

In addition the "**only**" in claim 29 means that "a person can view said covered internet advertisement" **(only) solely and exclusively** "if said person wants", from the definition of

"**only**". Moreover the "**only** if said person wants" of claim 29 is a single fact and nothing more or different, from the definition of "**only**".

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

Applicant has blazed a trail, rather than followed one.

The new principles of operation in claim 29 are demonstrated in working models.

**45. Solved Different Problem:** Claim 29 solves a different problem than Cragun because the novel physical features of the claim are: "(e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement," and "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Claim 29 solves the problem of generating sufficient revenue from internet advertising. Claim 29 does this by making it possible for a website to charge more for the claim's internet advertisement than for prior art internet advertising without "said covering non-advertising image".

Since "a person can view said covered internet advertisement **only** if said person wants by using said selection method", the person's full and undivided attention is garnered. This full and undivided attention provides more value for the internet advertisement of claim 29.

In addition claim 29 and its "selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement" has more value than unselected internet advertising. A user may or may not be paying attention to prior art internet advertising that are displayed right away, much less having the benefits of being selected. These 2 reasons create a higher value for the internet advertisement of claim 29.

Instead Cragun teaches the the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:".

Cragun solves the very different problem of the selective blocking of these images by mitigating them with a browser displayed icon, blank icon, or blank area on user request.

Thus Cragun does not solve and does **not** teach the problem of generating sufficient revenue from internet advertising.

As of the applicant's filing date, the solved different problem of claim 29 is supported by documents noted in the Rule 132 Declaration that is submitted with this amendment.

**46. No Convincing Reasoning:** The O.A. has not presented a convincing line of reasoning as to why the claimed subject matter as a whole of claim 29, including its differences over Cragun, would have been obvious because the novel physical features of the claim are: "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Cragun clearly does **not** teach the new and unexpected part in claim 29 of "a covered internet advertisement".

Cragun clearly does **not** teach the new and unexpected result in claim 29 of "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image".

Cragun clearly does **not** teach the new and unexpected result in claim 29 of "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Instead Cragun teaches the display of images right away, regardless if a user wants, as discussed in the above subheading "5. Novelty:". Cragun teaches mitigating these displayed images by later blocking, hiding, or configure blocking them on user request.

Therefore there is no convincing reason claim 29 is obvious on Cragun.

Claim 29 is demonstrated in working models.

**From the reasons discussed**, the applicant submits that independent claim 29 produces valuable new, unexpected, and different results and hence is unobvious and patentable over Cragun under 35 U.S.C § 103.

Accordingly, the applicant submits that claim 29 is allowable over Cragun and solicits reconsideration and allowance.

**New Independent Claim 29 is Patentable Over the Combination of Cragun and the Secondary Reference of Reber**

No valid combination of the main reference of Cragun and the secondary reference of Reber shows all the features of independent claim 29.

**A Review of the References of Cragun and Reber:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

Reber is discussed in the above heading "A Review of the Reference of Reber:".

**Claim 29 recites** "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

**Cragun** and **Reber** do **not** describe and teach "a covered internet advertisement" of claim 29.

Cragun and Reber do **not** describe and teach claim 29 and its "utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement".

Cragun and Reber do **not** describe and teach the results in claim 29 of "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image" **and** "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Therefore claim 29 is novel and unobvious over the combination of Cragun and Reber because their inventions do not show all the features of the claim.

**From the reasons discussed,** the applicant submits that independent claim 29 is novel over the combination of Cragun and Reber under 35 U.S.C. § 102.

The applicant submits that claim 29 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and Reber under 35 U.S.C § 103.

Accordingly, the applicant submits that claim 29 is allowable over the combination of Cragun and Reber and solicits reconsideration and allowance.

**New Independent Claim 29 is Patentable Over the Combination**

**of Cragun and the Secondary Reference of Serena**

No valid combination of the main reference of Cragun and the secondary reference of Serena shows all the features of independent claim 29.

**A Review of the References of Cragun and Serena:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

Serena is discussed in the above heading "A Review of the Reference of Serena:".

**Claim 29 recites** "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

**Cragun** and **Serena** do **not** describe and teach "a covered internet advertisement" of claim 29.

Cragun and Serena do **not** describe and teach claim 29 and its "utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement".

Cragun and Serena do **not** describe and teach the results in claim 29 of "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering

non-advertising image" **and** "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Therefore claim 29 is novel and unobvious over the combination of Cragun and Serena because their inventions do not show all the features of the claim.

**From the reasons discussed,** the applicant submits that independent claim 29 is novel over the combination of Cragun and Serena under 35 U.S.C. § 102.

The applicant submits that claim 29 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and Serena under 35 U.S.C § 103.

Accordingly, the applicant submits that claim 29 is allowable over the combination of Cragun and Serena and solicits reconsideration and allowance.

**New Independent Claim 29 is Patentable Over the Combination**

**of Cragun and the Secondary Reference of van Hoff**

No valid combination of the main reference of Cragun and the secondary reference of van Hoff shows all the features of independent claim 29.

**A Review of the References of Cragun and van Hoff:**

Cragun is discussed in the above heading "A Review of the Reference of Cragun:".

van Hoff is discussed in the above heading "A Review of the Reference of van Hoff:".

**Claim 29 recites** "A process to **reveal** a covered internet advertisement comprising: (a) providing a covered internet advertisement, (b) providing a covering non-advertising image, (c) providing a selection method, (d) constructing means for said covering non-advertising image to substantially conceal said covered internet advertisement, (e) utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement, whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image, and whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

**Cragun** and **van Hoff** do **not** describe and teach "a covered internet advertisement" of claim 29.

Cragun and van Hoff do **not** describe and teach claim 29 and its "utilizing said selection method to choose said covering non-advertising image that substantially disappears to **reveal** said covered internet advertisement".

Cragun and van Hoff do **not** describe and teach the results in claim 29 of "whereby a person, without taking any action, is shielded from said covered internet advertisement by said covering non-advertising image" **and** "whereby a person can view said covered internet advertisement **only** if said person wants by using said selection method."

Therefore claim 29 is novel and unobvious over the combination of Cragun and van Hoff because their inventions do not show all the features of the claim.

**From the reasons discussed,** the applicant submits that independent claim 29 is novel over the combination of Cragun and van Hoff under 35 U.S.C. § 102.

The applicant submits that claim 29 produces valuable new, unexpected, and different results and hence is unobvious and patentable over the combination of Cragun and van Hoff under 35 U.S.C § 103.

Accordingly, the applicant submits that claim 29 is allowable over the combination of Cragun and van Hoff and solicits reconsideration and allowance.

**New Dependent Claim 30 Is A Fortiori Patentable Over the**

**Combinations of Cragun and the Secondary References**

The new dependent claim 30 incorporates all the subject matter of independent claim 29 and adds additional subject matter which makes the claim a fortiori and independently patentable over any combination of the main reference of Cragun with any pertinent secondary references. The secondary references are Reber, Serena, and van Hoff.

Claim 30 recites:

"The process of Claim 29, further including an internet with an internet/television hybrid."

The applicant submits that new claim 30 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 30.

**New Dependent Claim 31 Is A Fortiori Patentable Over the**

**Combinations of Cragun and the Secondary References**

The new dependent claim 31 incorporates all the subject matter of independent claim 29 and adds additional subject matter which makes the claim a fortiori and independently patentable over any combination of the main reference of Cragun with any pertinent secondary references. The secondary references are Reber, Serena, and van Hoff.

Claim 31 recites:

"The process of Claim 29, further including a covering non-advertising moving image to substantially conceal said covered internet advertisement."

The applicant submits that new claim 31 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 31.

**New Dependent Claim 32 Is A Fortiori Patentable Over the**

**Combinations of Cragun and the Secondary References**

The new dependent claim 32 incorporates all the subject matter of independent claim 29 and adds additional subject matter which makes the claim a fortiori and independently patentable over any combination of the main reference of Cragun with any pertinent secondary references. The secondary references are Reber, Serena, and van Hoff.

Claim 32 recites:

"The method of Claim 29, further including a covering advertising to substantially conceal said covered internet advertisement."

The applicant submits that new claim 32 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 32.

**New Dependent Claim 33 Is A Fortiori Patentable Over the**

**Combinations of Cragun and the Secondary References**

The new dependent claim 33 incorporates all the subject matter of independent claim 29 and adds additional subject matter which makes the claim a fortiori and independently patentable over any combination of the main reference of Cragun with any pertinent secondary references. The secondary references are Reber, Serena, and van Hoff.

Claim 33 recites:

"The process of Claim 29, further including a covering photograph to substantially conceal said covered internet advertisement."

The applicant submits that new claim 33 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 33.

**New Dependent Claim 34 Is A Fortiori Patentable Over the Combinations of Cragun and the Secondary References**

The new dependent claim 34 incorporates all the subject matter of independent claim 29 and adds additional subject matter which makes the claim a fortiori and independently patentable over any combination of the main reference of Cragun with any pertinent secondary references. The secondary references are Reber, Serena, and van Hoff.

Claim 34 recites:

"The method of Claim 29, further including a covering television commercial to substantially conceal said covered internet advertisement."

The applicant submits that new claim 34 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 34.

**New Dependent Claim 35 Is A Fortiori Patentable Over the Combinations of Cragun and the Secondary References**

The new dependent claim 35 incorporates all the subject matter of independent claim 29 and adds additional subject matter which makes the claim a fortiori and independently patentable over any combination of the main reference of Cragun with any pertinent secondary references.

The secondary references are Reber, Serena, and van Hoff.

Claim 35 recites:

"The process of Claim 29, further including said covering non-advertising image to substantially disappear after a predetermined time."

The applicant submits that new claim 35 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 35.

**New Dependent Claim 36 Is A Fortiori Patentable Over the Combinations of Cragun and the Secondary References**

The new dependent claim 36 incorporates all the subject matter of independent claim 29 and adds additional subject matter which makes the claim a fortiori and independently patentable over any combination of the main reference of Cragun with any pertinent secondary references. The secondary references are Reber, Serena, and van Hoff.

Claim 36 recites:

"The process of Claim 29, further including said covering non-advertising moving image to substantially disappear after a predetermined time."

The applicant submits that new claim 36 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 36.

**New Dependent Claim 37 Is A Fortiori Patentable Over the Combinations of Cragun and the Secondary References**

The new dependent claim 37 incorporates all the subject matter of independent claim 29 and adds additional subject matter which makes the claim a fortiori and independently patentable over any combination of the main reference of Cragun with any pertinent secondary references. The secondary references are Reber, Serena, and van Hoff.

Claim 37 recites:

"The process of Claim 29, further including said covering advertising to substantially disappear after a predetermined time."

The applicant submits that new claim 37 distinctly claims the subject matter and is clear and understandable. No new matter has been added and the subject matter of the claim is supported in the applicant's specification. The applicant requests reconsideration.

Therefore, the applicant solicits allowance of new claim 37.

**Conditional Request for Constructive Assistance**

The applicant has amended the claims of this application so that they are proper, definite, and define novel physical features which are also unobvious. If, for any reason this application is not believed to be in full condition for allowance, the applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

**Conclusion**

For all the reasons given above, the applicant respectfully submits that the claims comply with § 112, the claims define over the prior art under § 102 because an internet advertising is blocked, and the claimed distinctions are of patentable merit under § 103 because of the new results of; a person, without taking any action, is shielded from the internet advertising by a blocking image, a person can view the internet advertising only if the person wants by using a selection method, and selecting the blocking image to reveal the internet advertising.

Accordingly, the applicant submits that this application is now in full condition for allowance, which action the applicant respectfully solicits.

Very respectfully,

Lee DeGross

Lee DeGross